

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 27th July, 2016

The House met at 9.30 a.m.

*[The Temporary Deputy Speaker
(Hon. Cheboi) in the Chair]*

PRAYERS

The Temporary Deputy Speaker (Hon. Cheboi): Order, Members! We do not seem to have the requisite Quorum. Therefore, I order the Quorum Bell to be rung for 10 minutes.

(The Quorum Bell was rung)

We now have the requisite quorum. Therefore, business will start.

PETITIONS

The Temporary Deputy Speaker (Hon. Cheboi): On that particular Order, there are two Members with Petitions, namely, Hon. Odanga and Hon. Korere. Can we start with Hon. Odanga?

DECONGESTION OF BUSIA AND MALABA TOWNS

Hon. Odanga: Thank you, Hon. Temporary Deputy Speaker. This is a public Petition by the residents of Busia County for the decongestion of Busia and Malaba towns.

I, the undersigned, on behalf of the residents of Busia County, draw the attention of the House to the following:-

THAT, rapid growth in commerce and business at the Busia and Malaba border towns has resulted in over three decades of constant traffic jams and congestion along the busy Northern Corridor.

THAT, the congestion is occasioned by increase in movement of trailers to and from Uganda, Rwanda, Burundi, South Sudan, the Democratic Republic of Congo and other countries.

THAT, the trailers cause inconvenience to both pedestrians and motorists since daily trailer queues stretch distances of over 10 kilometres from the Border Point, a situation further worsened by the fact that the trailers tend to occupy an entire lane of the busy road.

THAT, these long non-ending queues have in the recent past become a major source of concern on account of the security risks posed by both the cargo carried and human traffic from neighbouring countries criss-crossing the border towns on a daily basis.

THAT, there are no adequate security checks in place, making the congestion of trailers and people a constant recipe for disaster in view of escalating global terrorism.

THAT, the slow rate of clearance of trailers, other vehicles and cargo by the Customs officials is also a major contributor to the traffic gridlocks.

THAT, efforts to obtain lasting solutions to the impasse have so far borne no fruit.

THAT, the issues in respect of which this Petition is made are not pending before any court of law, constitutional or statutory body.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Transport, Public Works and Housing:-

- (1) Ensure that the Ministry of Transport and Infrastructure establishes several by-passes around Busia and Malaba towns;
- (2) The Ministry allocates adequate funding for the construction of trailer parks by the national Government so as to ensure that hazardous goods such as petroleum and explosives are separately monitored in a segregated area;
- (3) Recommends and ensures the establishment of Customs offices at Muluanda Centre to assist in decongestion and provide additional space for clearing and forwarding; and
- (4) Makes any other order and/or direction that it deems fit in the circumstances of the case.

And your Petitioners will forever pray.

(Technical hitch)

The Temporary Deputy Speaker (Hon. Cheboi): Move to the front row.

Hon. Odera: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I am a resident of Busia County and represent one of the constituencies in that county. One of the towns mentioned is in my constituency.

First, I need to thank the national Government for opening, constructing and establishing a one-stop Border Point at Malaba, which has created a lot of efficiency in the Customs processes. The issues that have been raised by the Member for Matayos which affect Busia similarly affect Malaba Town, which is in my constituency.

Besides congestion and the fact that there are delays in processing border-crossing activities, there are security risks arising from the fact that trailers are parked by the roadside. There have been cases of trailer drivers being killed and all manner of criminal activities that have been recorded in my constituency. It is a breeding ground for all manner of criminal activities and a risk to other road users.

Besides requesting that a border point be opened at Muluanda, the Committee should explore the possibility of opening additional border points and expanding it to other places. For example, in Modine, there is a border point that requires development. By doing that, we will decongest our border points in Malaba and Busia which will open up other opportunities for people to do business and encourage investors to invest in these areas. In the process, this will even aid further growth of this town.

I support the Petition.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Gunga Mwinga, you can take advantage of the microphone which is close to you. Use the one that the Member for Matayos was using.

Hon. Chea: Thank you, Hon. Temporary Deputy Speaker. I will take advantage. I wish to support the Petition.

I have been to Busia and have seen what is happening. This should be a wake-up call to other towns. Even in the coastal region, there are serious traffic jams. If you go to a town like Mariakani, you will see trailers lined up for about five kilometres along the road and you spend a lot of time from Jomvu to Mombasa Town. As the Committee investigates this Petition, they should consider looking at some of these areas.

All the same, I support the Petition.

The Temporary Deputy Speaker (Hon. Cheboi): I will give an opportunity to Hon. Wamunyinyi and Hon. Wamalwa.

However, you will both utilise the microphone at the Dispatch Box because your microphones do not seem to be working. Use the Dispatch Box.

Hon. Wamunyinyi: Thank you very much, Hon. Temporary Deputy Speaker for giving me the opportunity to express myself on this Petition.

Busia, like any other border point, is the gateway to our country. It is also an exit point for the business community. This is an area where order is necessary. Proper planning and support to the business community are necessary to ensure economic growth and that the people in the area also enjoy their daily activities. We should ensure order and benefits to the people in the area when the measures will be put in place as petitioned.

I, therefore, support the Petition wholeheartedly. I trust adequate steps will be taken to ensure the prayers are answered.

Hon. Wakhungu: Thank you, Hon. Temporary Deputy Speaker. I support this Petition by Hon. Odanga, Member of Parliament for Matayos Constituency. We know that people are active with economic activities at border points. We are not just looking at the Departmental Committee on Transport, Public Works and Housing alone, but also the Departmental Committee on Administration and National Security. They should enhance issues of security patrols. We have people who take advantage of the circumstances when heavy trucks queue for clearance and other requirements and reap where they never sowed. The issue of security can be handled if the Departmental Committee ensures a police post is in place to increase the number of patrols in the area.

As my colleagues have mentioned, Busia and Malaba border points play very critical roles. They are transit points for goods going to Rwanda, Uganda and other countries. Failing to plan is planning to fail. The Departmental Committee on Transport, Public Works and Housing should liaise with the Cabinet Secretary (CS) in charge, so that they can decongest the area and have flyovers, so that some go above and others below as we see on Thika Road. That will be very nice for the people of Busia. I have been there. This congestion is causing a lot of delays. It eats into the important man-hours which would have been put into active work.

Decongestion must be done with speed. We hope the Committees in charge will move with speed to resolve this issue once and for all. They do not have to wait for the 60 days.

Hon. Ndiritu: Thank you, Hon. Temporary Deputy Speaker. I am one of the victims of this congestion as a result of the trailers. I have also been to Busia. I spent quite a number of hours. That was some time ago. I can guess what has happened in the last three years with the increase of traffic in Kenya.

I want to give an idea to the Committees before they embark on this. As it has been said, the problem starts from the Coast all the way to Busia. I am particularly concerned about the toll station at Gilgil. I am sure all the people who go to western Kenya encounter this traffic. All those who go to Malaba and Busia pass through Gilgil. I am sure most of the Members who have travelled have at one time been caught in the inconvenience of the huge jams in Gilgil.

My concern is that the Government is putting some investments including introducing an extra railway line without consulting the local leaders. We would have given them an idea of where to do these investments. The railway line passes in the middle of somebody's farm and it becomes difficult to expand. These short-term measures cause the Government quite a huge sum of money almost Kshs200 million. With some consultations, they can put it the toll station where it would be of benefit to the people of Gilgil. My request to the Committee is to consider the whole of the corridor where we experience traffic jams as trailers move across the border.

The Temporary Deputy Speaker (Hon. Cheboi): Okay. The Petition is referred to the Departmental Committee on Transport, Public Works and Housing. We, therefore, proceed to the next Petitioner, Hon. Sara Korere. You might also have to use Dispatch Box because the system seems to be a little low for now.

HUMAN-WILDLIFE CONFLICT IN LAIKIPIA NORTH SUB-COUNTY

Hon. (Ms.) Korere: Thank you, Hon. Temporary Deputy Speaker.

This is a public Petition regarding human-wildlife conflict in Laikipia North Sub-County.

I, the undersigned, on behalf of the residents of Laikipia North Sub-County draw the attention of this House to the following:-

THAT, the Wildlife Conservation and Management Act, 2013 contemplates formulation of innovative measures for mitigating human-wildlife conflict and compensating victims of human-wildlife conflict;

THAT, the said Act provides that in mitigating human-wildlife conflict, precedence shall be accorded to the rights and privileges of communities living adjacent to conservation and protected areas;

THAT, residents of various group ranches in Laikipia North Sub-County have been battling incessant attacks by elephants, resulting in human and livestock deaths, injuries and destruction of crops and property in the region;

THAT, recently, elephants attacked school children from Dol Dol, Kiwanja, Ilkinyei and Ol-Arjiju Primary schools, among others, thereby forcing children to skip school in fear of the danger posed by the elephants on the loose;

THAT, further, the elephants have not just taken over the community's watering points thus obstructing residents from accessing water for domestic and livestock use, but have also been destroying key public installations such as school fences and water pipes thus triggering endless human-wildlife conflict;

THAT, in late May, 2014, disillusioned residents of Laikipia North Sub-County staged lawful and peaceful demonstrations against inaction by the KWS, only to be fiercely dispersed by police who shot live bullets in the air, leaving several people injured;

THAT, between 2013 and 2016, about 13 people have lost their lives after being attacked by elephants, yet only one of the victim's family has so far been compensated;

THAT, efforts by the local leaders to amicably resolve the perennial stalemate with the management of KWS have been met with futility and frustration;

THAT, the matter in respect of which this Petition is made is not pending before any court of law or constitutional body.

Therefore, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Environment and Natural Resources:-

Intervenes to ensure that the Ministry of Environment and Natural Resources, through the KWS expeditiously fences Mukogodo Forest to keep off the elephants from straying to human settlements where they cause harm and destruction;

Ensures that KWS compensates schools, victims and affected families for loss of lives and destruction of damages caused and schools affected to be fenced using electric fence; and,

Recommends to the Ministry of Environment and Natural Resources to increase KWS posts in the area for efficient surveillance and quick response to distress calls whenever elephants stray to human settlements.

And your Petitioners will forever pray.

The Temporary Deputy Speaker (Hon. Cheboi): Very well. Hon. Members, since you realise the systems are down, I will be mentioning a few Members who will be coming to speak to this Petition. You will need to be as close to the Dispatch Box as possible, so that we can save time. I think it is okay now. So, we can proceed in the normal manner.

Let us start with Hon. Wafula. I can see there is quite some interest on this. I will give chances to Members in the following order: Hon. Wafula, Hon. Karani, the Member for Wundanyi and a few others.

(Hon. Wamunyinyi moved to the Dispatch Box)

It is not Hon. Wamunyinyi, it is Hon. Wafula David Wekesa of Saboti Constituency. I will give a chance to the Member for Suba. I can see there is quite some interest in this Petition. I ask Members to be very brief, so that as many Members as possible can speak to it.

Hon. Wekesa: Asante sana, Mhe. Naibu Spika wa Muda, kwa kunipatia nafasi hii ili nami niunge mkono Ombi hili. Najua watu wa Laikipia wameumia sana. Mzozo kati ya binadamu na wanyama pori ni jambo sugu sana hapa nchini. Naiomba Kamati ambayo inahusika na mambo ya wanyama wa porini iangalie jambo hili kwa kina sana ili binadamu aweze kukingwa kutokana na wanyama wa pori.

Ninajua umuhimu wa wanyama pori hapa nchini lakini hatuwezi kulinganisha binadamu na wanyama pori. Ukitembea kote duniani utapata soko la wanyama pori lakini soko la binadamu halipatikani.

Ninaunga mkono Ombi hili.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Karani.

Hon. Karani: Thank you very much, Hon. Temporary Deputy Speaker, for giving me this chance to support this Petition by Hon. Sara.

It is not just in Laikipia North where we have this problem. In Laikipia West Constituency, which is a neighbouring constituency, the problem is prevalent. We have lost so many lives. A lot of our farmers are poor not because they are not hardworking, but because their crops are destroyed by wildlife. In fact, the situation in my area is worse because it is the maternity for elephants. They come every two years to give birth and the problem has become worse. We have set aside some Kshs96 million to put up an electrical fence from Kamwenje through Angwache to Gatundia and to Maihanyu. In fact, I call upon the County Government of Laikipia to fast-track that process, so that the farmers can engage in farming without fear.

I support.

The Temporary Deputy Speaker (Hon. Cheboi): Let us have the Member for Mwatate.

Hon. Mwadime: Shukrani Mhe. Naibu Spika wa Muda, kwa kunipatia fursa hii ya kuongea kuhusu jambo ambalo ni janga la Wakenya wanaoishi karibu na mbuga za wanyama

pori. Malalamishi ambayo yamewakilishwa na Mhe. Sara yanawaathiri watu wengi. Wale ambao mipaka yao imeshikana na mbuga za wanyamapori wanaumia, haswa, katika Eneo Bunge la Mwatate. Baada ya Standard Gauge Railway (SGR) kutengenezwa, wanyama wengi kutoka Tanzania hupitia mbuga ya Tsavo West wakitaka kwenda Tsavo East. Wanyama hawa wanazuiwa kupita Tsavo East na wote wanarejea upande wa Mwatate. Kwa sasa, jambo hili limekuwa janga kwani chakula cha wananchi kimemalizwa na wanyama hawa.

Yale maji tuliyonayo kidogo yamekuwa tatizo. Juzi nimekuwa na wazo kwamba tukichimba mtaro mkubwa kabisa katika mpaka wa Tsavo, labda ndovu hawa watatumbukia humo ndani ya mtaro wakati wanajaribu kuvuka na waache kuwasumbua wananchi. Tumelia kwa muda mrefu. Waziri alikuja kule na bado hatujaona chochote ambacho kinaweza kutusaidia. Ninaomba Wizara husika iingilie kati kwani wananchi wanaumia.

Ninashukuru sana kwa fursa hii mbayo umenipatia. Malalamishi ya Mhe. Sara yaangaliwe kwa undani maana ni janga la Kenya nzima.

The Temporary Deputy Speaker (Hon. Cheboi): Next is the Member for Suba, Hon. Mbadi. Please, let us be brief. I want to give more Members a chance to contribute.

Hon. Ng'ongo: I will be very brief, Hon. Temporary Deputy Speaker. I thank you for giving me this opportunity to support the Petition presented to the House by Hon. Korere, on behalf of the people of Laikipia.

I feel the pain of the people of Laikipia. As one of the Members of Parliament who has a national park resident in their constituencies, I know what the people of Laikipia are going through. I urge the Committee of the National Assembly that is responsible for this to expand their inquest a bit and find out whether other places face this problem.

Ruma National Park is a disaster for my constituency. I know it is an important resource for this country, but as residents near Ruma National Park, we have suffered a lot, including suffering from attacks on people and crops by wild animals as well as infestation by Tsetse flies. There are times when my constituents think of cutting trees in the park and burning it. This matter of human-wildlife conflict needs to be looked into critically by this House and a solution be found because the National Assembly has the responsibility of resolving issues that are of concern to the people of Kenya.

The Temporary Deputy Speaker (Hon. Cheboi): Let us hear from Meru National Park.

Hon. (Ms.) Kajuju: Thank you my good friend, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): You are completely out of order.

(Laughter)

Hon. (Ms.) Kajuju: Hon. Temporary Deputy Speaker, I do not know why they are worried about our friendship. There is nobody else who has expressed interest in this House.

I stand to support the Petition that has been presented by Hon. Sara. Just to remind the House, last month, I brought a similar Petition seeking to have human-wildlife conflict managed in Meru County. I am happy because the Departmental Committee on Environment and Natural Resources visited the *locus in quo*. We visited four sites in Meru where conflicts between human beings and wildlife happen. That Report was tabled last week. The Committee recommended that Kshs100 million be set aside to construct an electric fence around Meru County where elephants interfere with human habitation. They also recommended that all victims of human-wildlife conflict be compensated. The problem is that even though such recommendations are

contained in the Report, we do not have that money in the Budget. So, I request the Departmental Committee on Environment and Natural Resources to ensure that they provide this money.

There is even a law which states that all persons who have suffered as a result of this conflict be compensated. We do not want people to be forced to go to court because we know that when they go to court, it takes a long time for the disputes to be settled. So, I ask the Committee to be serious in ensuring that the reports that they bring to this House are implemented so that our women do not fail to go to the farms because of fear of elephants and children do not fail to go to school because of fear of being attacked by wildlife animals.

I also beg the Kenya Wildlife Service (KWS) to ensure that they undertake the mandate they have of protecting our people.

The Temporary Deputy Speaker (Hon. Cheboi): I will give the chance to Hon. Leshoomo.

Hon. (Ms.) Leshoomo: Asante sana, Mhe Naibu Spika wa Muda kwa kunipatia nafasi hii nichangie Ombi hili la Mhe. Sara.

Tatizo la mzozo kati ya wananchi na wanyama pori limeleta shida katika Kenya yote. Kule kwetu Samburu tunaishi na wanyama. Tunachunga mifugo yetu pamoja na wanyama wa pori. Inaonekana shida iliyoko ni wananchi wanauawa na wanyama pori kama vile ndovu na mamba.

Hivi majuzi, mamba alivamia watoto. Inafaa Mwenyekiti wa Kamati ya Mazingira na Mali Asili atembe maeneo Bunge yaliyoathirika ili aelewe shida hii. Watu wanauawa na wanyama pori lakini hawalipwi fidia. Kila wakati, wanaambiwa wajaze makaratasi lakini hakuna malipo yoyote. Kuna masumbuko mengi na inafaaa Kamati itembe katika maeneo haya ili ilete ripoti Bungeni, haswa eneo la Samburu Mashariki. Tumepata habari jana kuwa kuna watoto ambao wamevamiwa na mamba. Nyoka pia wanawavamia wananchi. Masuala kuhusu mzozo kati ya wanadamu na wanyama pori yanafaa kuchunguzwa.

The Temporary Deputy Speaker (Hon. Cheboi): Member for Chuka /Igambang'ombe, please, be brief.

Hon. Njuki: Thank you, Hon. Temporary Deputy Speaker. I will try to be very brief. I would like to thank the Nominated Member from Laikipia North, Hon. Sara, for bringing this Petition. Human-wildlife conflict is an issue that seems not to be going away in this country. Last year, we passed the Wildlife Compensation Bill and we stipulated very well how cases of compensation are supposed to be handled, which was assented to by the President. The biggest problem has been implementation of this law. There are people who have had claims of compensation in the constituencies and their files are in the offices, but nothing seems forthcoming. On Sunday morning, elephants walked in to a village and despite the fact KWS offices are located near the Meru National Park, it took them a whole day to drive them away. I think there is laxity to compensate farmers and drive away the animals. We should address this problem before the community takes the law into their own hands and gets rid of the animals.

I support.

The Temporary Deputy Speaker (Hon. Cheboi): Member for Aldai.

Hon. Serem: Thank you, Hon. Temporary Deputy Speaker. I rise to support this Petition. I have more concerns in the sense that I have a national reserve in my constituency. Three years ago, we lost three girls through attacks by wild animals. They were never compensated. We should have a policy in place to address human-wildlife conflict because if we are not careful, these animals will be killed by the communities. Two years ago, hundreds of acres on crop were

destroyed by wild animals and none of the farmers were ever compensated. This issue should be addressed.

The Temporary Deputy Speaker (Hon. Cheboi): I refer this Petition to the Departmental Committee on Environment and Natural Resources. I hope the Chairlady, who is in the House, has seen the immense interest that Members have in this issue. I will give you some 30 seconds to say something about it.

Hon. (Ms.) Abdalla: Thank you, Hon. Temporary Deputy Speaker. I want to state that human-wildlife conflict Petitions are over 60 per cent in my Committee. Hon. (Ms.) Leshoomo has just declared that I should do my job, but I must say that the onus is on this House. The problem is not about compensating victims of human-wildlife conflict, but currently, the Ministry of Environment and Natural Resources has a pending bill for human-wildlife conflict standing at Kshs47.8 billion yet we only gave them a mere Kshs180 million. We passed a law that gave a very high amount of money for compensation without appreciating budget constraints that, that would bring. I do not pass budgets and if we do not enhance the figure for human-wildlife compensation, these Petitions will only keep coming.

With those few remarks, I commit that we will bring a Report on the same, but I do not commit that I would give the funding to compensate as there is a pending bill of Kshs47.8 million.

Hon. Lati: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Lelelit, what is your point of order?

Hon. Lati: On a point of order, Hon. Temporary Deputy Speaker. As it has been said here, human-wildlife conflict is a very serious problem among our communities. Bills passed in this House are laws in our country. Is it in order for us to pass laws in this country and apply them selectively? If people kill wildlife, the law applies immediately with compensation and charges within the law. On the other side, when our people are killed by wildlife, we are getting from the Committee that the Government is not able to compensate them. We should not take this issue lightly based on the Budget applications and the Estimates. Sometimes it involves wildlife killing people who are breadwinners. Our communities are herders. Is it in order for the Chairlady to say that?

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Lati, I do not want to go in that direction. I noticed that you are passionate about that issue and that is why I allowed you to speak to it, whether it is a point of order or not. This issue will be discussed by the Committee. I hope you will be present to air those grievances very strongly. Let us close the debate on this. Hon. Members, I can see you are passionate about this issue and I want to ask you to go to the Committee when the Petition will be discussed to air your issues.

Next Order!

NOTICE OF MOTION

RECRUITMENT OF SCHOOL BURSARS TO MANAGE FPE FUNDS

The Temporary Deputy Speaker (Hon. Cheboi): Hon. Lusweti.

Hon. Mukwe: Hon. Temporary Deputy Speaker, I beg to give notice of the following Motion:-

THAT, aware that Free Primary Education (FPE) is an important milestone to economic and social development in the country; further aware that since the introduction of FPE in 2002, the Government has spent huge amount of money on the programme; noting that the recent Report by the Ministry of Education submitted to the Ethics and Anti-Corruption Commission indicated that the Government could be losing millions of capitation funds in public schools through inflated enrollment figures, fraudulent deals that include irregular allocation of funds, procurement of goods and questionable expenditure by headteachers; concerned that the spirit of FPE was to provide a chance to every student in the country to acquire free education giving effect to Article 43(1)(f) of the Constitution; noting that most headteachers do not possess requisite financial management skills to proficiently handle FPE funds, this House urges the Government, through County Education Boards, to recruit school bursars to ensure prudent utilisation and management of FPE funds dispersed to various schools in the country.

The Temporary Deputy Speaker (Hon. Cheboi): Next Order!

BILLS

First Readings

THE INSTITUTE OF DIRECTORS OF KENYA BILL

THE CLINICAL OFFICERS (TRAINING,
REGISTRATION AND LICENSING) BILL

*(Orders for First Readings read - Read the First Time and ordered
to be referred to the relevant Departmental Committees)*

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

*[The Temporary Deputy Speaker
(Hon. Cheboi) left the Chair]*

IN THE COMMITTEE

*[The Temporary Deputy Chairman
(Hon. Cheboi) took the Chair]*

THE BANKING (AMENDMENT) BILL

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Members, we are dealing with the Banking (Amendment) Bill (National Assembly Bill No.62 of 2015). Hon. Jude Njomo is in the House. So, can we proceed?

Clause 3

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Njomo, read out the amendment for record purposes. You are amending Clause 3.

Hon. Njomo: Hon. Temporary Deputy Chairman, I beg to move:-

THAT, Clause 3 be amended in the proposed new Section 33(b) by deleting subsection 3 and substituting thereof the following new subsection 3-

“A bank or a financial institution which contravenes the provisions of subsection 2 commits an offence and shall on conviction be liable to a fine of not less than Kshs1 million or in default the Chief Executive Officer (CEO) of the bank or financial institution shall be liable to imprisonment for a term of not less than one year.”

This is a small correction which has been associated with the fact that we cannot imprison a bank. If a banking institution contravenes the law, it can be fined, but in case an imprisonment needs to be done, then it is the CEO who can suffer the imprisonment or pay the fine. This will avoid a situation where the law is not clear on who is supposed to suffer the consequences.

(Question of the amendment proposed)

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Midiwo.

Hon. Midiwo: Hon. Temporary Deputy Chairman, I rise to support that a thousand times. This is something that we must support. The penalty befits the offence. I thank Hon. Njomo for bringing the amendment. I strongly support it. Somebody must tame the renegade nature of banks and how they treat our people.

Thank you so much, Hon. Njomo.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Wangwe.

Hon. Wangwe: Hon. Temporary Deputy Chairman, I thank Hon. Njomo for bringing this amendment. This is one of the best things that he has so far done for the banking industry. There has been mismanagement of certain banks like Imperial Bank in the recent past and other banks since 1996. These fines were not there. Immediately an institution commits an offence, the director sits behind the cocoon of an institution and gets away with it. So, the amendment which Hon. Jude Njomo is proposing is highly needed.

I beg to support the amendment.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Gikaria.

Hon. Gikaria: Hon. Temporary Deputy Chairman, yesterday, I had an opportunity to attend a meeting of the Departmental Committee on Finance, Planning and Trade when they met the Director, the Central Bank of Kenya (CBK) and later they met the Cabinet Secretary for the National Treasury. They talked about mismanagement of banks and the frustrations of the Governor of the CBK. They do everything in terms of audit and checking of banks to ensure that they do not flout the rules, but the banks still end up not having sufficient cash flows. At the end of the day, banks are put under receivership. This clause will end the frustrations that the CBK Governor goes through. I want to thank Hon. Njomo for bringing this amendment. Bank managers and their CEOs will now be held liable for any contravention of this section.

I support the amendment.

The Temporary Deputy Chairman (Hon. Cheboi): Hon. Wamunyinyi. He will be the last Member to contribute to this amendment.

Hon. Wamunyinyi: Thank you, Hon. Temporary Deputy Chairman. I also want to congratulate Hon. Njomo for this bold move. It does not only provide a mechanism for regulation on interest and puts the CEOs and banks in a position of accountability, but it also ensures that there is order in the banking industry. I express my gratitude and support this Bill.

The Temporary Deputy Chairman (Hon. Cheboi): We will have the Member for Narok South and the Member for Ol Jorok. Member for Narok South, be brief.

Hon. ole Lemein: Thank you very much, Hon. Temporary Deputy Chairman. I rise to support this amendment. I want to thank Hon. Jude Njomo for bringing this Bill. This amendment will bring sanity in the banking industry. I believe that the introduction of term limits for CEOs in the banking industry by the CBK Governor will bring sanity to the industry.

Hon. Waiganjo: Thank you, Hon. Temporary Deputy Chairman. I also want to join my colleagues in congratulating Hon. Jude Njomo. I support his amendment for making bank CEOs fully accountable. I also want to congratulate the people of Kiambu Constituency for bringing such a brilliant Member to this House.

I support the amendment.

*(Question, that the words to be left out be left out,
put and agreed to)*

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

(Clause 3 as amended agreed to)

(Clause 2 agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Temporary Deputy Chairman (Hon. Cheboi): Let us have the Mover, Hon. Njomo, to move reporting.

Hon. Njomo: Hon. Temporary Deputy Chairman, I beg to move that the Committee doth report to the House its consideration of the Banking (Amendment) Bill (National Assembly Bill No.62 of 2015) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

*[The Temporary Deputy Speaker
(Hon. (Ms.) Mbalu) in the Chair]*

REPORT AND THIRD READING**THE BANKING (AMENDMENT) BILL**

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Members! Let us have the Chairperson to move reporting.

Hon. Cheboi: Hon. Temporary Deputy Speaker, I beg to report that a Committee of the whole House has considered the Banking (Amendment) Bill (National Assembly Bill No.62 of 2015) and approved the same with amendments.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have the Mover of the Bill, Hon. Jude Njomo, to move the agreement.

Hon. Njomo: Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Report. I also request Hon. Wamunyinyi to second the Motion for agreement with the Report of the Committee of the whole House.

Hon. Wamunyinyi seconded.

(Question proposed)

(Question put and agreed to)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have the Mover of the Bill, Hon. Jude Njomo, to move the Third Reading.

Hon. Njomo: Hon. Temporary Deputy Speaker, I beg to move that the Banking (Amendment) Bill (National Assembly Bill No.62 of 2015) be now read the Third Time. I also request Hon. Wamunyinyi to second.

Hon. Wamunyinyi seconded.

(Question proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I will allow a few Hon. Members to make remarks on the Third Reading. I want to start with Hon. Barua Njogu, Member for Gichugu.

Hon. Barua: Thank you, very much, Hon. Temporary Deputy Speaker. I will like to first and foremost thank my friend, Hon. Jude Njomo, Member for Kiambu, for bringing this important Bill to this House.

This Bill has come at the right time because the banking system in Kenya has not been customer friendly. It has been operating on a top-bottom approach. It is high time issues that concern the common banker are put into consideration. By so doing, Kenyans will have confidence in the banking system and this will help develop the nation.

There has been some level of impunity in banks in terms of interest rates. Somebody can borrow 'x' amount of money and within a short time due to some difficulties, they end up paying about 10-15 times more. The issue of uncontrolled interest rates has for a long time put property which has been used as collateral at risk. By so doing, most Kenyans are afraid of taking bank loans.

Finally, this Bill calls on banks that flout regulations to be held accountable and punitive measures put in place. This will ensure that if a bank violates the banking regulations, they are held accountable. The fine which has been proposed in the Bill of Kshs1 million shillings is quite adequate.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, let us give remarks on the Third Reading. The Member for Igembe Central wants to speak to this. Hon. Mbadi, you know what you should not do in the House.

Hon. Kubai Iringo: Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to add my remarks on Hon. Njomo's (Amendment) Bill.

I am a Member of the Committee on Finance, Planning and Trade where we were looking at these amendments. We had a lot of pressure from interested parties, especially the banking sector who opposed it. We categorically told them that we did not need to go their way, but the way which would benefit the common *mwananchi*. This will put checks in place to ensure they do not only look at profits, but also benefits their customers from their services.

I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Mbadi, I know you are good in finance and accounts.

Hon. Ng'ongo: Thank you, Hon. Temporary Deputy Speaker. I also want to support this Bill and congratulate Hon. Jude Njomo, my good friend, for bringing it at this time when the banking sector has a lot of issues. This country has witnessed unprecedented turmoil in the banking sector. I think this Bill could not have come at a better time.

Finally, I just hope that this time we are going to succeed as a House and a nation in having the Bill enacted into law. I hope the President will listen to the wishes of Kenyans and assent to this Bill. We previously have tried to rein in banks, but we hit roadblocks on the way, either from this House or out there when seeking for the Presidential assent. This time, I want to appeal to the President of the Republic of Kenya, that in exercising his constitutional responsibility of assenting to this Bill, he agrees with this House, so that it becomes law.

We should come up with other methods of ensuring that the banking sector is properly regulated and proper policies are put in place to ensure that we do not face the problems we have been encountering in the past few months.

I thank Hon. Jude Njomo for this Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Member for Teso North, Hon. Arthur Odera.

Hon. Odera: Thank you, Hon. Temporary Deputy Speaker. I want to congratulate, Hon. Jude Njomo, for coming up with a Bill that is long overdue. We had the Donde Bill earlier on which was a missed opportunity for Kenyans to make sure they get value for money in the banking sector. We know that the gap between what customers receive as deposit rates and what they pay as interest rates when they borrow from banks is inordinately huge and unreasonable. It explains why if you look at the top 10 most profitable companies in Kenya, you will find an inordinate representation of banks. We must, therefore, challenge banks through this Bill to find other ways of making money, to add value to their customers, to provide a wide range of services, to find services that add value to this economy rather than just exploiting borrowers. I support the Bill fully.

We also know that it is possible to make money without exploiting customers. It is possible to leverage technology. It is possible to look at the range of services they provide to

widen the net. We know that many Kenyans are unbanked. The banks can provide additional services. They can expand their services to rural populations and people who do not have easy access to finance. In fairness, we know that banks have lately expanded access to credit for most Kenyans, but that access has come at a very high price to Kenyans. Most of them are not able to service their loans because the interest rates are too high. This coupled with the fact that many Kenyans are financially illiterate or half-literate, they do not read the small print and they do not understand what they are getting into when they go through the excitement of signing up for a loan. That is why auctioneers have a field day. That is why even the banks today have a higher-than-expected level of non-performing loans.

Hon. Temporary Deputy Speaker, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us hear the Member for Ugunja, Hon. Opiyo Wandayi.

Hon. Wandayi: Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. At the outset, I want to support the Bill as proposed by my good friend, Hon. Jude Njomo. It is common knowledge that the banking sector in this country has run amok. In fact, you could say it has become a law unto itself. This Bill is very timely. In fact, it is one way of reining in those banks. What I have seen happening is that over time, the relationship between banks and customers has been that of a master and slaves. That is not sustainable. Banks have continued to rake in obscene profits which they do not plough back to the economy. Nobody knows where they take the profits. This Bill needs to be supported.

I want to echo the sentiments of my Chairman, Hon. John Mbadi. Until this Bill is assented to by the President, we cannot say it is a done deal. We want to appeal to the President. We know that it is his duty under the Constitution to assent or not to assent to Bills. But on this particular matter, it is incumbent upon the President to agree with this House because there is no other way out. It is important that we put measures to curtail the behaviour of the banking sector that has continued to create confusion in the economy of this country.

Thank you, Hon. Temporary Deputy Speaker, for now.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Just a reminder, we are in the Third Reading, not Second Reading. Hon. Jacob Macharia.

Hon. Macharia: Thank you, Hon. Temporary Deputy Speaker. I would like to congratulate Hon. Jude Njomo for the Bill because interest rates in this country have led to serious disruption of life. It is high time we tamed marauding bank chief executive officers.

I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I will give an opportunity to two more Members, starting with the Deputy Leader of the Minority Party, Hon. Jakoyo Midiwo.

Hon. Midiwo: Thank you, Hon. Temporary Deputy Speaker. Let me thank my friend Hon. Jude. This has been a very long journey for me. Parliament has twice put a notice in the newspapers for the banks which have been trying to stop us from controlling them to engage Hon. Jude Njomo and the Departmental Committee on Finance, Planning and Trade, and they are mute. It makes me want to encourage the President to sign this Bill tonight.

(Applause)

Kenyans are suffering. So many businesses are suffering. Nairobi is bad, but the countryside is worse given that those governors have been giving people contracts and payments have not been forthcoming. People borrow from those same commercial banks to do those

works. The level of interest rates is not making devolution work. It is stifling devolution. The counties would have been places where we would have created employment, but all the money finds its way back to the banks. So, I want to encourage the President not to listen to the banks and to know that we have called the banks, but they have refused to come. Tomorrow, let Kenyans wake up to regulated interest rates so that people can stop paying unnecessary monies that they could use to further grow this economy.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The last one will be the Member for Yatta, Hon. Francis Kilonzo.

Hon. Kilonzo: Thank you, Hon. Temporary Deputy Speaker. I also want to congratulate Hon. Judy for---

(Laughter)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Kilonzo, just a correction. It is J-U-D-E. I also had a problem with the pronunciation some time back. It is not Judy; it is Jude Njomo.

Hon. Kilonzo: Thank you, Hon. Temporary Deputy Speaker. Sorry for that. What this House has done today through the amendments brought by Hon. Njomo, in my view, is going to create more resources to lend to our people. I think by and large, in a growing economy like the one we have in our country, it makes no sense to see a financial institution declaring billions, even over Kshs10 billion, in profits. I think it is high time we also took keen interest in the financial institutions in this country.

Secondly, I would also wish – and I believe this Bill is going to be assented to – the Central Bank of Kenya (CBK) Governor would move very fast and ensure its implementation. I have been going through the Banking Act and nowhere does it provide for closure of banks which have financial problems, but we have seen some being closed almost indefinitely. So, I think it is high time we as a House urged the CBK Governor to ensure the implementation of this Act.

Thank you very much, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): By my discretion, there is one Member who really feels I cannot make his day if I do not give him an opportunity. That is the Member for Narok South.

Hon. ole Lemein: Thank you, Hon. Temporary Deputy Speaker. I want to register my happiness---

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order! Just a minute Hon. Lemein! When the Speaker is standing or talking, you freeze. Members who are walking out, because you are all supporting the Bill, please, hold on a bit so that we can see whether we have the requisite number to put the Question.

Hon. ole Lemein: Hon. Temporary Deputy Speaker, I want to once again thank Hon. Jude Njomo for bringing this Bill. I come from a county that practices a lot of wheat farming. Our people have been suffering because of the loans and advances they take from the banks in that region.

The problem has been the interest rates that the banks just hike at their own will. Once this amendment Bill becomes law, small scale farmers and Small and Medium Enterprises

(SMEs) in this country will grow. I am a happy Kenyan and I believe that this Bill is going to accelerate the growth of small scale businesses.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I would like to confirm to the House that we do not have the requisite quorum for me to put the Question. I, therefore, defer the putting of the Question to the most appropriate time.

Next Order!

(Putting of the Question deferred)

MOTION

PROVISION OF HONORARIUM TO VILLAGE ELDERS

THAT, aware that village elders play a critical role in facilitating the work undertaken by chiefs and assistant chiefs namely in solving disputes, addressing petty crimes, handling security issues and generally promoting development initiatives; concerned that the Government is yet to adequately recognize their vital roles by way of facilitating their work; further noting that those hardworking citizens are crucial in the dissemination of government policies and plans to the grassroots, this House urges the National Government to consider giving a monthly or annual honorarium to village elders as a means of appreciating their services and encouraging them to uphold their dedication to the community.

(Hon. Injendi on 20.7.2016)

(Resumption of Debate interrupted on 20.7.2016)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, hon. Members! This is a resumption of debate which was interrupted on 20th July. My record shows that Hon. Jessica Mbalu still has seven minutes. From where I sit, I can confirm that she was supportive of it, on behalf of the people of Kibwezi East, that village elders need to be appreciated by the Government. Now that Hon. Jessica Mbalu is in a different capacity, she has forfeited her contribution. However, it is on record that she contributed to this Motion.

The next Member is Hon. Timothy Wanyonyi. Hon. Members, let me remind you of the Motion so that we are relevant. The Motion is on provision of honorarium for village elders, which was brought to the House by Hon. Malulu Injendi. It is a resumption of debate that was interrupted on Wednesday, 20th July, 2016. We have a balance of 45 minutes to debate the same.

Hon. Wetangula: Thank you, Hon. Temporary Deputy Speaker.

Hon. Njomo: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): What is out of order, Hon. Jude Njomo?

Hon. Njomo: Hon. Temporary Deputy Speaker, I was expecting to be given a chance to thank Members for supporting the Banking Amendment Act. I am, therefore, begging for your magnanimity to allow me to thank Members for supporting the Bill.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Jude, you did so well. You have thanked the Members. We have not even put the Question.

Hon. Njomo: I did not get a chance to thank them. I just wanted to get a chance to thank them.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): It is on record and it is already gone. It is already gone and we are on another Motion.

Hon. Njomo: I hope my appreciation has been acknowledged.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I can see that you are happy today, but it has been passed. We are on a different Order.

Hon. Timothy, go on.

Hon. Wetangula: Thank you, Hon. Temporary Deputy Speaker. I wish to support this Motion. The village elders are the first level of leaders that we have at the lowest level of our society. Those are the people who manage even the expectations that people have at that level in the society. Village elders are the people whom the Government does not appreciate because most of them are volunteers. They are opinion leaders who always manage some of the things that go on in the remotest parts of this country. For a long time, before the society came up with the judicial system, village elders acted as judges of many other things that go on within that level in the society. I remember that during the KANU days, village elders acted as grassroots mobilizers whenever the president visited their areas. They are the people who would inform people and create awareness. The Government even used to transmit public policies to the grassroots through the village elders. It is, therefore, important that they should be recognized and be given some token of appreciation for the work that they do at that level.

Sometimes, we take for granted the people who manage so many things at the village level. From the family level all the way to the chiefs, those are the important people. We should give them a token of appreciation. We must also encourage the Government to use those people. In a country like Uganda, if visitors enter a village, it is a prerogative of their hosts to report to the village elder, so that it is known that there are strangers in the village. We have been experiencing issues of insecurity in this country because foreigners live within our midst and we do not report them the authorities. Those are the people who are hitting us. They are organized criminals. Some of them are terrorists who come and assemble bombs within our neighbourhoods. If village elders are organized in that manner, and they are given appreciation and recognition, they will always enforce the unity of purpose for the Government and for all of us, and ensure that security is taken care of from the lowest level of our society.

The Governments' *Nyumba Kumi* Initiative can only work if village elders are appreciated and given recognition. Those are the people who manage minor security issues before the police or other authorities appear on the scene.

For those of us who represent constituencies that have informal settlements, we have so many things that are happening there. We have gender-based violence and disasters like fire are happening. Before you call the fire brigade to come, those are the people who deal with those issues. Those are very important people. I believe, if we can do anything to appreciate them, it will go a long way to address some of the historical injustices in our society. Some of those people do not live very well, as they live from hand to mouth.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, before I give the opportunity to the next Member to contribute, allow me to recognize and appreciate a group of traditional dancers from Kipipiri. Karibuni sana.

Hon. Wafula Wamunyinyi is next on my request list.

Hon. Wamunyinyi: Thank you very much, Hon. Temporary Deputy Speaker. Let me start by thanking Hon. Injendi Malulu for bringing this Motion. We have village elders across the country who have been recognised from the colonial days and they have been working for this country. They are involved in dispute resolution in our villages which involve families. They also resolve cases of violence within families. They are also involved in resolution of disputes involving boundaries. They are recognised even in the eyes of the law for what they do and are consulted even by tribunals. At times, they even testify in court in matters where they have been involved in resolution of disputes over boundaries.

Hon. Temporary Deputy Speaker, those village elders have also been involved in coordination of activities for the Government, particularly in respect of community policing – the *Nyumba-Kumi* Initiative. They have been on the forefront. They know where Hon. Wanyonyi and Hon. Wangwe live. Ten or more people who live in a village are co-ordinated by the village elders. So, they are people who perform a very important role in our communities. They not only do that, but are also involved in security. Any crimes committed in the village, the first point of reference is them. The police will be asking: “Where is the *Omukasa*? Where I come from, they are called *Bakasas*. They are also involved in identifying the people, who do wrong in the community for example, the people who are supposed to be in jail. They know them and usually they point out the same to police or to the local administration.

Hon. Timothy has mentioned that they are the first line of administration. However, from the President himself coming down, instructions to the ordinary people go through the village elders. The assistant chiefs go to the village elders for dissemination of that information. So, administratively, they are recognised in the line of administration. However, why they are not recognised and paid anything since Independence is something which cannot be understood. I have no idea because this is not the first Motion that is being introduced before this House. There have been similar Motions before but nothing has happened so far. Successive Governments have not been able to deal decisively with the issue of village elders. It is now time in the new era that this issue of village elders is resolved. Governors are recruiting village administrators. I am not sure if other counties are doing that but in Bungoma County, our Governor recently advertised for recruitment of village administrators to be put on a salary. This is duplication. This is parallel administration in the village. We have village elders recognised by assistant chiefs, but they want to recruit other village administrators with their own villagers under the county government, and who are going to be paid.

Hon. Temporary Deputy Speaker, instead of having those issues, I thought it would have been better if the Government stepped in. This Motion gives an opportunity for the Government to step in and deal with the issue of village elders once and for all. It should not just be honorarium. I think they should be put on a salary even if it is a small amount per month. They can be put at the lowest scale of Government. It is not so much money considering the importance of the work the villagers do. This is not something that we think should cost this country a lot of money. In any case, so much money has been spent on matters which are not of great importance to this country. It is my view that the village elders be put on a payroll even if it means considering setting some level of education standards like Standard Eight. We have very intelligent elders who have not been to school even though this is now ending. We have young men who are also performing the role of village elders because of the importance of that function.

Hon. Temporary Deputy Speaker, I support this Motion and appeal to Members to also support it. Hon. Injendi, you have to find a way of moving to the next step with this Motion; possibly by engaging the Government. If the Government does not move to deal with this issue in an administrative manner or policy level, then we will push for the amendment of the law to introduce their recognition within the law so that they are also paid a salary as they do those functions.

I thank you for the opportunity and I express my support for the Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I have 29 requests. The next in my request list is the Member representing the people of Bondo Constituency, Hon. Gideon Ochanda. Before that, Hon. Members, you do not need to approach the Speaker's desk. When you come, do consultations the way *Mheshimiwa* is doing. Allow me to also appreciate students from Olistar Academy, Kajiado North Constituency. You are welcome to the House.

(Applause)

I am also being reminded that the Kipipiri Minarati Traditional Dancers come from Nyandarua County and not Makeni County. Next on my request list--- Yes, carry on.

Hon. Ogolla: Thank you, Hon. Temporary Deputy Speaker. While I rise to support this Motion, I wanted to bring in a number of things.

One, to what extent or for how long should this House really work in a manner that a lot of things that are passed are not implemented? For how long are we going to act in vain? This House is aware that we have passed a number of resolutions and Motions that are hardly implemented. This Motion has been debated before. It is not the first time we are talking about it. It was passed in the 10th Parliament and many other Motions have been passed, including in this 11th Parliament and they are never implemented. Are we coming up with Motions that are implementable or not? What is happening at the level of the administration that some of those Motions are allowed to continue when we actually know that they are not going to be implemented? There is quite a lot that we are doing in vain as a House. This really needs to be checked either in terms of the form of content of our Motions which the House administration used to look at and the Office of the Speaker such that we do not appear like we are just a talking-shop.

We passed certain regulations in this House concerning milk prices. We have passed certain Motions on stopping the nuclear-related activities and a lot of them have never been implemented. One time in the Committee on Implementation, it was saddening that we had passed many Motions in vain. While I want to support this Motion, one thing really needs to be looked at. Five years after the adoption of the new Constitution, the Provincial Administration was supposed to be restructured to align with the Government structure. This has not happened in a manner that one can easily say that we have merged the national Government together with the county government in a manner that the Provincial Administration is either serving both or one, and when it is serving one, how it relates with the other. This is something that is a failure. Five years are gone and the Government really needs to look at this adequately. The Provincial Administration needs to be structured to align with the new Government structures. Many times when we are talking about the Provincial Administration, hardly do we extend the same to the village elders. Many times when we are talking about the Provincial Administration, it ends at the assistant chief level and yet, the people who do the bulk of work at the lowest and the last in

that line of arrangement are the village elders and the community health workers (CHWs). The village elders and (CHWs) are volunteering and are doing a lot of work. I once said the CHWs could easily replace the Kenya National Bureau of Statistics because they have the data as it occurs. They have the data of every household because they visit those homes every single day.

In a similar manner, we have the village elders. They are the ones who have details. In my view, we would rather do not have the county and sub-county commissioners. We can do away with all this and have the sub-location assistant chiefs and the village elders. They are people who are down with those communities. They know their problems and in my view, those are the people who need to be paid. They are a big bunch and have volunteered for far too long. They have done a lot of work without any clear recognition.

In my view, as we look forward to this, I plead with my colleagues that as we are moving forward to implementing the new National Government Constituencies Development Fund (CDF) Act, for purposes of social security, we can also initiate an action from our side, at our own individual constituency level. We must find a way of helping those village elders. This can be taken up by the individual Member in as much as we want to insist that the Government must, in good manner, recognise materially that those people are doing a useful work in the villages and we need them. They are useful and they should be part of the Civil Service whichever way we look at it, so that they may be on some regular pay that is known.

With that, I support but we need to look, as a House, at what is happening with our resolutions. We are passing certain things, but they will all be in vain if we are not careful.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. George Omondi. Hon. Members, you do not need to use all your minutes.

Hon. G.W. Omondi: Thank you, Hon. Temporary Deputy Speaker. This is a very important Motion for the following reasons: If we look at the history of our country, we may say that we got Independence and we are developing. But there are certain things that we have neglected, and which the Colonial Government had put in place. One of the areas that we have neglected is the recognition of the village elders and the job that they do.

Some of the rot we see in our society, particularly among the youth and in some of our institutions and more so the security-related institutions, are taking place because we have neglected the work of the village elders. For example, in the colonial days, it was very difficult to get rogue people getting their ways into the police service because before people were recruited, the village elders were involved. They were asked whether a particular youth was of good character. But these days, if I want my cousin or nephew to be employed in the police, I would tell my friend: "I have got this cousin who is a chicken thief in the village. Can you get him in the police?" In the old days, it could not happen. The elders were involved and the research was done. Only good people went to the security sector.

The other bit is that of the bad behaviour of the youth in the villages. They see that those who are trying to control the good behaviours in the villages are not recognised. So, they start saying that it does not really matter whether they become good people or not. They will look at a certain old man and say: "This old man is struggling to make us behave nicely, but nobody recognises him." If we implement this Motion and maybe turn it into a Bill, we will not just improve the behaviour of those who are joining security, but we will also improve the behaviour of our youth in the villages.

We have been struggling with radicalisation of our youth. I am seeing Parliament getting involved but we have not gone to the root cause of radicalisation. Those people are going to the

villages and they are sitting there with the youth who can identify them. This can only be identified by the village elders. If they are not recognised, if they are working for free, there will be laxity. So, in order to go back and pick up from where we left, we need to recognise the village elders by giving them some token. Maybe, the token is just one way of recognising them. We need national leaders going to functions and calling the village elders as a way of recognising them. This will go a long way.

In other countries, village elders have direct contact with the main security organs. They have the reports of those who visit villages and where they slept. This is not happening in our country. By bringing this Motion, we could arrest a lot of problems and a lot of rot in our country. Therefore, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Member for Sirisia.

Hon. Koyi: Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to contribute on this Motion. Those elders are very important people. They have been doing their work since the time of colonialists in this country. I remember before I came to this House that a Motion like this was brought during the 10th Parliament by Hon. Eugene Wamalwa. Sometimes, we take a lot of time contributing on Motions like this one but the implementation does not happen.

The village elders, with the work that they do in this country, are very important to us as a nation. They deserve not only to be recognised, but also, at least, to get some payment, so that they can feel that they are part of workers of this country. More so, those people work under the Office of the President. To me, as a House, we need to pass this Motion without any question because it was deliberated in the 10th Parliament and we are doing it now.

Without wasting a lot of time and debating so long, we need to pass this Motion so that those people are paid. I just want to thank Hon. Injendi for bringing it back. I hope that this time round, the President will act on it.

I support. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member for Igembe Central.

Hon. Kubai Iringo: Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to contribute to this Motion. At the same time, let me thank my colleague, Hon. Injendi for bringing it.

As my colleagues have said, this one has been debated earlier on. My fear is that we are doing very noble jobs in this House. We are passing very important Motions which would benefit this country, but the framework of implementation is becoming a thorny issue which should be addressed further so that we do not just sit here and pass pieces of legislation in vain. Once a Motion has been voted for, passed and gone through, nobody follows to see that it sees the light of day.

Hon. Temporary Deputy Speaker, village elders or those people who man our villages on a day to day basis are very important people in our society. They play a very key role but, unfortunately, their reward or recognition is minimal, if there is any. At times they are ridiculed by people especially in my place where they are called *kunda ngutume* that is, have a cup of tea and then I send you. It is just that and it ends there. They are usually under the mercy of the chiefs who toss them up and down and send them on errands and other things. At the end of the day, they just get lunch, a soda or a cup of tea, and that is the end of it.

It is high time we recognised those very important people in our society. My fear now is that we are looking at it as a Parliament and urging the national Government to consider those

village elders. When you go to the counties where we have county governments, they are also restructuring themselves to the village. There is that fear of duplication of the village elders because they are addressing the same thing. It should be harmonised because, at the end of the day, if we are going to be paying those village elders from the national Budget and have others from the county governments, we shall be duplicating those services. But they are important in the society and need to be recognised.

I support the idea of giving them a monthly salary and not honorarium after six months or every year. That would not suffice or it might not keep them going because they have families with children. Most of the time they forfeit their own work which would benefit them in earning their daily bread or put food on the table in their families, as they go on with assisting in the arbitration of cases or problems. They are very good at identifying criminals who come to the villages because they know each and every person in the villages. They are always at hand to do some arbitration and even pass some judgement and rules which would make people go to courts.

They also help a lot even in reducing congestion in courts because most of the time, people run to the police or courts. Those village elders do a noble job in reducing the number of people who go for arbitration in the legal offices.

In Meru, we have a council of the *Njuri Ncheke* elders who play a very important role. Most of them are also village elders who man each and every village. In case of any disputes, cases are taken to those elders. They sit on a specific day and all cases are brought to them. Most of the time they arbitrate so many cases in a month which would have ended up in the law courts and is expensive. Those are simple issues which need to be resolved locally. If they go to the law courts, they have to look for advocates and fare to go to where the courts are located. Those people really help save people in the villages with those problems.

We have the *Nyumba Kumi* Initiative which the Government came up with to supplement and support the village elders. Since it was started, it has not taken ground as we wanted it to be. It has not been taken seriously. If it is implemented fully and the village elders are incorporated into it, it will prevent terror attacks, people infiltrating into the villages and radicalisation of our children and such like things.

I support this Motion. Let us give village elders a salary and not honorarium. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): As I said, we had 45 minutes before we call the Mover to reply. I appreciate the request from Members to contribute to the Motion. This includes other Members like the Hon. Member for Kitutu Chache North and Hon. Sang. I want to give the opportunity to the Mover to reply. If he can be philanthropic enough, he can share some of his minutes if he does not mind.

Hon. Injendi: Thank you, Hon. Temporary Deputy Speaker. I realise that we have many Members who are interested in making their contribution. I will give each one of them a minute. They are Hon. Wanjiku from Nyandarua, Hon. Angwenyi, Hon. Wangwe, Hon. Wafula Lazaro, Hon. Murunga, Hon. Kiuna, and Hon. Shinali. I will give them one minute each.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member, you only have 10 minutes to reply.

Hon. Injendi: *Huyu alipoteza baba yake*, one minute.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member for Mavoko, I missed some but let me go with the list. Hon. Member for Mavoko, you were just mentioned in the philanthropic list. So you can wait. There is a procedure.

(Hon. King'ola stood at his place)

Hon. Member, there is a procedure.

Hon. (Ms.) Muhia: I was wondering if the Member has changed his name to Wanjiku.

I am very grateful for the one minute and I will use it very quickly. It is good to give me this chance considering the traditional dancers you just mentioned. That is because half of them are village elders. So, this Motion is timely. They are very lucky to be here today to see how Parliament discusses their issues. I am a Member of the Departmental Committee on Administration and National Security and this Petition has been brought to our Committee several times. We are considering it. This Motion is very timely. Clearly, the chief cannot work without the village elders. Today, we have improved the chiefs' ability to work by giving them *boda bodas* and airtime, but the village elders still work without anything. So, let us support this Motion.

Thank you very much for the one minute.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Angwenyi Member for Kitutu Chache North. Those Members who have been given a minute, please, press the intervention button.

Hon. Angwenyi: Thank you, Hon. Temporary Deputy Speaker. I want to thank the Mover of this Motion for bringing it to this Parliament. Village elders are the basic structure of administration in this country. They take care of small disputes, differences among the population and tell the Government and security agencies if there are strangers who might come and mess our security. They have been doing this job before. Actually, my father used to be a village elder while my grandfather was a chief. Those days, whenever they solved a problem, they were given chicken or goats to feed on. These days, they are not given anything. So, let us ask the Government to give them a minimum of Kshs.10,000 each per month so that they can serve this country appropriately.

Thank you. I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have the Member for Navakholo.

Hon. Wangwe: Thank you, Hon. Temporary Deputy Speaker. At the outset, allow me congratulate my colleague, Hon. Injendi, for thinking about the village elders.

The lowest cadre of administration in the national Government is the village elder. At the beginning of the administration by the national Government, it is important that the national Government creates an image that represents itself. It is important that the national Government gives honorarium to those people to keep them alive, considering the situation at hand today. Without enticing the village elders, the people they serve may end up compromising them, and giving them what is not due to them. This will lead them to the wrong side of the law, which is corruption and yet, they are the image of the national Government.

With that, I beg to support the Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Was the Member for Suna a beneficiary? Let us have Hon. Wafula from Saboti Constituency.

Hon. Wekesa: Ahsante sana, Mheshimiwa Naibu Spika wa Muda. Ningependa kuchukua fursa hii kumpongeza ndugu yangu Mheshimiwa Injendi kwa kuleta Hoja hii. Ni wazi kwamba wazee wa kijiji wanafanya kazi muhimu na ngumu sana. Bali na malipo, ingekuwa vyema kama wangepewa mafunzo maanake kuna kazi nyingine ambazo wao hufanya na huwa nzito kwao. Mafunzo yatawawezesha kutekeleza kazi yao vyema.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Who was the other beneficiary? The Member for Mavoko, you are not on intervention.

Hon. King'ola: Thank you, Hon. Temporary Deputy Speaker. Before I support the Motion, let me thank all the Members of Parliament who stood by me after the demise of my father. I experienced a lot of support from the Members in this House and Kenyans at large. My dad collapsed after the Inspector-General of Police announced over the media that they were hunting me down for allegedly having burnt a police station. Being the only powerful son in that home, my father collapsed on hearing the news.

I support this Motion by Hon. Injendi. We should introduce an amendment to define the role of a village manager. Looking at the Chiefs Act, most of those village managers are misused. If we put this role in the Constitution, they will be paid and will have a role in society. Otherwise, they have done a good job.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Sorry for the loss of your dad. Hon. Member, you only have four minutes.

Hon. J.K. Ng'ang'a: Thank you, Hon. Temporary Deputy Speaker. Let me begin by saying---

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Member! Anytime the Speaker is speaking or standing, you should behave. Please, Hon. Members, take note of that. Mover, you will only have three minutes to reply after Hon. Ng'ang'a has finished his contribution.

Hon. J.K. Ng'ang'a: Hon. Temporary Deputy Speaker, let me begin by thanking my brother, Hon. Injendi, for bringing this Motion at this time. It is high time we realised the noble role that the village elders play. They are patriotic Kenyans who have been sacrificing their lives.

Last weekend, when we were on recess, those people managed to eradicate illicit brew in my constituency.

I support the Motion and I would like them to be paid over Kshs10,000.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have the Mover replying.

Hon. Injendi: Hon. Shinali had also requested for one minute to speak. I do not know if my time is up.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Then you will only have one minute to reply. Where are you, Hon. Shinali? You will have one minute.

Hon. Shinali: Thank you, Hon. Temporary Deputy Speaker. From the outset, I would like to thank Hon. Injendi Malulu for bringing this Motion.

I need to mention one thing, I am aware that most of the intelligence that we receive is from village elders. That intelligence is used at the national and county levels. It is immoral to allocate duties to mature people who have families to feed and children to take to school and yet, they are not paid.

The village elders in our areas participate in almost all activities from funerals, public rallies and gathering intelligence reports. When there are criminal activities, they are always called upon to help. It is important that those people are paid. I urge this Government to take this matter seriously.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member, you have one minute to reply.

Hon. Injendi: Thank you, Hon. Temporary Deputy Speaker. I thank all the Members for the support they have given this Motion. I assure you that the next step has been taken.

The amendments to this Motion are with the Director of Legal Services in the National Assembly. I urge the Departmental Committee on Administration and National Security that is chaired by Hon. Kamama that when this Motion comes before them, they should fast-track it. This 11th Parliament can go in the record books for having finally implemented what many successive parliaments have tried to.

I want to inform the Members that when it comes to those village elders, their functions are completely different from the functions of the chiefs as envisaged in the County Governments Act. I ask the village elders to be patient. This time, this Government by His Excellency President Uhuru will implement this because it is a Government of the people by the people.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member, please go on record that you beg to reply.

Hon. Injendi: Hon. Temporary Deputy Speaker, I beg to reply.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Order, Members! I am not in a position to put the Question with regard to Order No.11. I direct that the putting of the Question is deferred to the next sitting at the most appropriate time.

Let us move on to the next Order. Let us have Hon. Andrew Mwadime.

(Putting of the Question deferred)

PROVISION OF WATER TO PUBLIC FACILITIES

Hon. Mwadime: Hon. Temporary Deputy Speaker, I beg to move the following Motion:-

THAT, aware that water is one of the most basic human needs; concerned about children in primary schools, especially those that do not have access to clean tapped water; also aware that the Government is already providing electricity and food to those schools; deeply concerned that lack of water leads to a host of hygiene problems including jigger infestation, cholera and others, this House resolves that the Government formulates a financial framework and provides tapped water to all public facilities, especially primary schools, as water is life.

This Motion seeks to urge the national Government to provide tapped water to all public facilities, especially all primary schools that do not have access to clean tapped water.

This follows concern that lack of clean water leads to a host of hygiene-related problems such as water-based diseases, intestinal worm diseases, typhoid, fever, cholera, diarrhoea, dysentery and others. The situational analysis as it is currently in the country, we understand that water is a basic human need. It is also a fundamental right that Kenyan citizens need to enjoy without any limitation.

The Constitution of Kenya in Article 43(1)(d) states that every person has a right to clean and safe water in adequate quantities. The County Water Scarcity Index continues to worsen with the rapid population growth and it is expected to fall from approximately 500 cubic metres per capita per year to as low as 359 cubic metres per capita per year by 2020. This is according to the Kenya Economic Report, 2013. Millions of Kenyans are currently underserved. Many citizens continue to drink unsafe water or forced to use minimal quantities of water because of distance, waiting time and the cost, thus making water inaccessible.

According to the Kenya Population and Housing Census 2009, there are about 39 million people living in Kenya. However, with the population growth of 2.9 per cent per year, the population was about 43 million people as at 2013.

According to the progress on drinking water and sanitation updates as per the World Health Organisation (WHO) and the United Nations Children's Emergency Fund (UNICEF) 2014, about 37 per cent of the population do not have access to clean water.

Inequities in accessing water are glaring and the struggle for water by the skewed sections of the Kenya population sharply contrast with the privileged as they benefit from water delivered to their homes, often at very low prices.

Hon. Kang'ata: On a point of order.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): There is nothing out of order. He is just moving. Allow him to do so and let the Motion be seconded and then we can open it up for debate.

Hon. Mwadime: Providing tapped water to primary schools will lead to many advantages. The time wasted by children to look for water will be minimised and the students will concentrate on their studies.

We have had tree planting days in primary schools. To make it a reality, it is important for all those schools to be provided with tap water. The cost incurred in treating diseases related to water will go down. With time, that money can be channelled to other areas. As it is, there are about 21,000 primary schools in Kenya. Over 51 per cent of them have water. The remaining 49 per cent are the ones that require that tap water.

The Motion is self explanatory. I urge my colleagues to support it so that all primary schools can have tapped water. Once they have it, it will be the communities that will get water.

Therefore, I urge my colleague, Mr. Injendi Malulu to second. Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Yes, you are in order. Hon. Injendi Malulu to second?

Hon. Injendi: Ahsante sana, Naibu Spika wa Muda. Naunga mkono Hoja hii tukijua kuwa maji ni uhai. Vile Hoja imejieleza, kiumbe binadamu lazima awe na maji. Tunaiomba Serikali kufanikisha maendeleo kama haya kwa kuwa ndiyo baba yetu.

Vile mwenzangu ameeleza, hapo awali, wengi wetu tulikuwa tukichota maji mitoni. Mito mingi imechafuliwa kwa wakati huu na uchafuzi wa mazingira.

Kule kwangu, mito tuliyokuwa tukitegemea sana, kama Mto Mwera na Mto Shiruma imeharibiwa. Mara nyingi, magonjwa yanakuwa mengi kwa jamii. Mito huwa mbali na jamii na tungependa maji ya mabomba ipatikane karibu na wananchi, na haswa kwa mashule.

Ukienda kwa shule nyingi, baadhi ya shule ziko na maji yapatikanayo visimani. Hivyo visima vilichimbwa na kampuni ilokuwa ikiitwa Kenya-Finland Water Supply Programme (KENFICO).

Kwa ajili ya idadi ya watu kuwa juu na wengine kununua mashamba, utapata jirani amechimba choo karibu na kisima. Kwa hivyo, inalazimu shule na wananchi kutoendelea kuchota maji hapo. Vile Hoja inasema, lazima tuanze kufikiria juu ya masilahi ya wanafunzi. Kwa sababu mara nyingi wanafunzi hawana maji ya mabomba.

Wanafunzi hupoteza muda wao kwenda mitoni kutafuta maji. Nilivyosema, mito iko mbali. Wanapofanya hivi, wanapoteza muda wa kusoma.

Tunaelewa wanakumbana na mambo mengi huko nje. Vijana wamekuwa chonjo na wengine wanawapachika mimba. Mzazi hufikiri mtoto yuko shuleni ilhali anapata kijana anayempa mimba wakati ameenda kuleta maji. Masomo ya msichana huwa hatarini zaidi.

Hii Hoja na ile ya awali ya wazee wa mitaa zinajieleza. Ni kama tunaitisha pesa nyingi kwa Serikali. Naomba Serikali isiweke maanani mambo ya pesa bali ihudumie watu na kuhakikisha inapeana tunayouliza.

Naunga mkono Hoja hii ya kuleta maji karibu na wananchi ili watoto wanaposoma, iwe ni kwa njia nzuri. Hivyo basi, watakuwa wamepata njia nzuri ya kupata kitu muhimu. Watapata chakula na maji kwa mwili.

Ahsante sana, Naibu Spika wa Muda.

(Question proposed)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I have 22 requests. The first one is from the Member for Kathiani. Is he in?

Hon. Mbui: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion by Hon. Mwadime.

I want to begin by thanking the Hon. Member for coming up with such a timely Motion that will enable the Government to provide water. It is a major requirement in all our schools. It is so good that our children can learn in the right environment.

This Motion seeks to ensure there is provision of water. It states “public facilities”, particularly primary schools. I imagine the Mover of this Motion was also alluding to secondary schools, dispensaries, health centres, markets centres and all those by mentioning “public facilities”. All those are public facilities.

I begin by saying I really support this Motion. It is a very important one. Before I was elected as a Member of Parliament, I did a basic research in the schools within the constituency that I represent. My question was about the requirements of each of those institutions. I forwarded them to the secondary schools and the primary schools. Interestingly, the report and requirements that I got in all our schools was classes, leaking roofs, staff rooms, administration blocks, dining halls and dormitories.

When I noticed that, I changed the questionnaire and asked two questions. Beyond that, I also asked if they had electricity and water. I was shocked. Almost all the schools there do not have running water. This is a very important Motion. This is clearly an issue that people need to have solved.

Water is a devolved function. Much as we are going to urge this Government and resolve that it does the implementation, we are aware of that. It is one of those activities that have to be done by the county governments. I come from Machakos County – the number one county – where the governor said we will have water running in our taps so that we can bath in our shower rooms and flush our toilets in our homesteads. However, almost four years down the line, we not only have homes without water but also public institutions without water. We have not solved the water problems so far.

So, as we support this Motion, we also have to come up with ideas and ways in which water will be sourced and distributed to our schools. It is unfortunate that as we speak, members of this House have the National Government Constituencies Development Fund (NGCDF) but they cannot even drill boreholes. They cannot provide what we are asking. So, it is important that as we pass this Motion, we also find a way of making sure that it is implemented by the

implementers who are named by the Constitution as the county governments of this country. Otherwise, I think this Motion is important and it has come at the right time. I believe that as we move on, we shall look at the solution.

I want to mention one final thing before I give my colleagues an opportunity. The Government is spending a lot of resources in enabling learning within our learning institutions. We are talking about providing fresh water for them to use. The Government is putting electricity in our institutions so that Information Communication Technology (ICT) can be taught in our schools. More than 60, 70 or 80 per cent of NGCDF funds are currently going into education because our schools are being uplifted. Unfortunately, all this money is going down the drain because of a few disgruntled elements within our schooling system. It is a problem that we are a nation where people vandalise water pipes and taps and destroy water tanks without any explanation.

As we support this Motion, we also have to be very careful. How are we going to secure what we are providing to our schools? In the near future, I will be sponsoring a Motion asking the Government to also provide CCTV cameras in all our schools so that we can see what is going on. We do not want to provide water only for the infrastructure to be destroyed tomorrow, or provide electricity only for it to be used to burn school dormitories. We want to be careful about what amenities we give to schools and how those amenities are used.

I, finally, want to say that I support this Motion. It is important for us to have water in our schools because they are burning and water can help to put off the fires.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us now have the Member for Nakuru Town East.

Hon. Gikaria: Thank you, Hon. Temporary Deputy Speaker. I thank Hon. Mwadime for bringing up the issue of providing water to public facilities.

I know it is a problem. I am the Vice-Chair of the Committee on Implementation. Some of the problems we find with some of these Motions are on the implementation aspect. Provision of services is a devolved function under the Fourth Schedule of the Constitution and it has been taken to the counties. Sometimes when we urge the national Government to do something, it becomes a problem during implementation. I am saying this because we have handled some petitions here in the past regarding other devolved functions and when it comes to implementation, it becomes very difficult for us to do anything other than plead with the county governments. In other places, we have found a lot of resistance from the county governments. I am saying this because just the other day, we were talking about waste management. When we went to the counties, we found that most of them were not willing to implement what that the National Assembly has directed. So, it becomes very difficult for us to implement aspects and matters relating to Motions.

I totally agree with Hon. Mwadime. In my constituency, I have already taken statistics of the 50 primary schools and 18 secondary schools. What is happening to our children is unacceptable and pathetic. I have been urging the county government at the local level to understand that the amount of money that the Government gives for free primary education is not enough for a whole year. I think every child is allocated only Ksh3. You allocate only Kshs5 per child and they are, maybe, 1,000. If you multiply that amount per child with the total number of children, you will find that it is not enough to pay water bill for even one week. The bills at the primary schools are crazy as we are talking now. I took statistics to find out the amounts.

Under the social corporate responsibility and giving back to the community, the county governments should put some measures not to allow wastage in our primary schools but allow the pupils to have water that they need. It has affected their health. If you go to some schools, you will find that the situation is chaotic. Half of the school population is not in school because of water borne diseases because they go to toilets which have no water. We force our kids to carry the 20-litre jerrican to school so that they can have water. Most of the parents of pupils who go to public primary schools cannot pay the monthly Kshs200 levy for settlement of water bills. It is unacceptable and against the law for principals and head teachers to send children home since we have free primary education. This matter needs to be looked into in a more effective and appropriate way. As a Government, we have to increase the stipend that is given for the free primary education, especially the allocation given for water and electricity.

What I ask Hon. Mwadime to do is that through the NGCDF, we need to encourage the culture of water harvesting. We should remove the asbestos on the roofs and put iron sheets, collect water and let it go to a water reservoir. The only water that the school will pay for is for drinking. It will be minimal. I ask the Government, through the money we allocate to schools, to increase that stipend for water so that it is enough to pay for water for drinking and then we can use the rain water that has been collected in the toilets and in the cleaning of schools. It is very difficult.

Hon. Mwadime has said that we should resolve that the Government formulates a financial framework. I think we can only do this through the budget-making process and increasing the amounts that are paid per child in our public primary and secondary schools. If you go and insist that county governments, which have been bestowed with the responsibility of providing water to all public schools should do so it will become very difficult. This is in terms of implementation.

Hon. Mwadime has a point. I am saying this because I took the matter in my capacity as a Member of Parliament. I am engaging other stakeholders to try and address this water issue in our public schools. I have approached some NGOs which have accepted to do toilets and water tanks. We allocate a lot of money from our NGCDF to do proper roofing so that we can collect water. Even as we resolve to do this, we understand that water is life. At the same time, as a Parliament, we need to budget, more so on how much money we allocate to a child in a public primary school.

Hon. Temporary Deputy Speaker, I conclude by saying that as we go through this process, the Ministry of Water and Irrigation, which is bestowed with the responsibility of water policy needs to help us construct water tanks and rehabilitate roofs because we need to emphasise on how much water we can collect.

Hon. Wanyonyi will confirm to you the issues we dealt with in implementing devolved functions. We will try and talk to the governors as we have always done. We have, however, met a lot of resistance because they keep telling us to keep off their functions, and that we should deal with our own functions.

Hon. Wanyonyi will also agree with me that we travelled to almost four counties and it was terrible to explain to them what the national Government had done in improving the health sector. In fact, in one of the hospitals, the medical facilities were just lying in the stores.

As much as it is going to be a complex issue in terms of implementation, I support this Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Member for Bureti, you have the Floor.

Hon. Sang: Thank you, Hon. Temporary Deputy Speaker for this opportunity. I want to thank Hon. Mwadime for this important Motion. I have known him for a long time and being my brother-in-law, he has thought well to bring this Motion so that we can ventilate on it and see how best we can tackle the challenges we face in this country.

Hon. Mwadime has rightly stated that water is a basic need. He comes from an area where most schools have challenges when it comes to provision of water. We are all facing that problem. Most of our school-going children do not have water in schools. The Government has done its part by providing electricity but water is a big challenge.

As much as we aspire to provide clean water, I think it will be a challenge. We should improve this Motion to make water a basic need. It is quite unfortunate because most of the school-going children are now lining up in hospitals after contracting hygiene-related complications like jigger infestation. There is an NGO going round Central Province and other parts of the country dealing with jigger infestations. This problem will be sorted out once we provide water to our public institutions. Other diseases like cholera, amoebiasis and typhoid will also be dealt with. We must resolve that the Government formulates this framework. Members have ventilated on this and some have proposed that we should use our NGCDF, but the Ministry of Water and Irrigation can also help in achieving this. We should provide water to all public institutions for us to have a better nation.

With those few remarks, I want to congratulate Hon. Mwadime for this important Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us now have the Member for Siaya, Hon. (Ms.) Christine Ombaka.

Hon. (Ms.) Ombaka: Thank you, Hon. Temporary Deputy Speaker. I rise to support this important Motion. Water is life and a necessity to all human beings and animals. Without water, we stand to suffer in the society. In my community, water is not only lacking in schools but also in hospitals and market places. You will find a huge crowd of people assembling for water. If there is no water, you can imagine how much we expose a whole crowd of people to waterborne diseases. Primary schools are supposed to be free. We should also provide water other than books and other facilities. Before a school is established, water must be available.

Some years back, the United Nations (UN) said that every household should have water by 2000, but up to now, it is unfortunate that we have not achieved that. Water is available in rivers and other sources but it is not accessible to children in schools and families in these areas. It is sad that children spend a lot of time trekking to schools since they are far from their homes. These schools are built with temporary structures - mud walled and with no floors. This must be improved. This forces children to go to rivers to bring water to smear floors. The water they access is not necessarily from rivers but sometimes pools of dirty water. We are exposing our children to many hazards. It is very important for this Motion to highlight the fact that water is necessary in schools so that small children are not exposed to danger.

Besides fetching water from rivers and ponds, children spend a lot of time constructing classrooms. This is an abuse of children. We are giving them too much work to do in schools by fetching water to construct classrooms. This should stop. The Ministry of Education should allocate more funds to primary schools to improve them so that children are not subjected to a lot of work when they should be in class. Going to rivers to collect water for construction is an opportunity for children to wade around. You will find scenarios where a small girl is harassed by some herd boys. We are not only exposing our children to hard labour and abuse, but we are also exposing our small girls to abuse by local people who do not care about the life of a girl

child. I believe that a lot can be done right now. The NGCDF can help provide water to public facilities. I appreciate the work of the NGCDF. It has done a lot of good work. This is part of what the NGCDF can do, with the support from county governments. The Ministry of Education has allocated money to many things, including purchase of sanitary towels and books. Every primary school should have water because it is a necessity.

There are some schools with water tanks. The NGCDF has constructed water tanks in the schools, but they are empty because they are meant for harvesting rain water from the roofs of classrooms. They are only useful when the rains come. If there is no rain, the tanks remain empty and children cannot access water for drinking or washing. That is why sometimes when you go to schools, you find that children are extremely dirty. They walk barefoot and their clothes are torn. Since there is no water within the school, the children do not wash their hands after visiting the latrines. Therefore, a lot must be done in the school set up, especially in terms of providing water to children.

Other than diseases like cholera and amoeba, which affect children, the same children are also abused. If we want to improve education, we should promote good performance in schools and enable children to love schools by providing water in those institutions. We need to construct tanks and have piped water. Even if there is no piped water, we still need water in the school system. We can sink boreholes so that the children can have water. That water should also be treated. We may have water that is dirty and contaminated. So, it is critical that whatever water we provide, be it piped water or water from boreholes, it must be treated for our children to drink. That will enhance children's performance and make them love going to school.

I support this Motion because it has a lot to do with school performance and retention of girls in school.

Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I will give the Floor in this order; Hon. Joseph Manje, the Member for Kajiado North; Hon. Mathias Robi, the Member for Kuria West; and Hon. Mtengo William, the Member for Malindi.

Hon. Manje: Thank you, Hon. Temporary Deputy Speaker, for giving me the chance to contribute to this important Motion by Hon. Mwadime. Before I contribute, I want to appeal to students to stop burning schools because it is not a worthy cause. They should learn to resolve their disputes amicably by dialoguing with their teachers and the management.

Hon. Temporary Deputy Speaker, this is a very good Motion. We take care of our households. It is the responsibility of everybody to take care of their homes but we do not have a structured way of taking care of our public institutions, especially when it comes to facilitating them to get water and other amenities. It is of paramount importance for us to make sure that, at least, our schools, especially primary schools, have water so that the pupils can have a good learning environment. If schools have water, they can make the environment conducive for learning, and they can serve as examples on how compounds should be.

Our primary school kids learn under very poor environment. When they grow up in such environment, they will have nothing to implement in future. Therefore, we need to make their environment conducive so that they can learn from it and they can improve their environment when they go to their homes. If we want our kids to learn something on hygiene, we cannot do it well without supplying water.

We are also talking about accessibility of water in other public facilities like hospitals. If we have expensive water, it will not serve the purpose. For example, if we have borehole water which is pumped using electricity, it becomes very expensive for public institutions. When you

consider water as a basic necessity but you do not provide it to our children, then it means that we are not providing for them.

As a country, we should be in a position to provide basic needs. Water is one of the basic needs. We are so many years after Independence. At this particular time in age, we should, at least, make sure that our schools have the basics like water and electricity. I know that the Government has done a lot to connect electricity in primary schools.

There is a very big gap between the reality and what we expect our compounds to look like. For example, we would like compounds to be green and with trees. If we do not have affordable water, this cannot be achieved. Water is a basic need and it should be provided in our schools.

With those remarks, I support the Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, use few minutes so that you can give other Members a chance to contribute. We have a lot of interest on this Motion.

The Member for Kuria West, you have the Floor.

Hon. Robi: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Motion that has been brought by Hon. Mwadime. I rise to support it.

This is a very important Motion because water will be taken to our schools. I know many people will also benefit in many communities. Many of our schools did not have power but nowadays there is electricity in all primary schools. Children enjoy power in school. If water is provided in many of our schools, it will save the local communities and the public who use those schools. Instead of pupils wasting time going to rivers to fetch water, they will use that time to improve their performance. We know of many areas which do not have water at all during the dry season. There is also a problem in some areas when there are heavy rains. Water is contaminated, and this brings many diseases to our children and entire communities. So, we are supporting this Motion. The Member who brought this Motion took good time to think about it. I hope many members here will support it because it is very important. If passed, it will improve our schools.

With those remarks, I support the Motion.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us now have the Member for Malindi.

Hon. Mtengo: Ahsante, Mhe. Spika wa Muda. Ningependa kuchukua fursa hii kukushukuru kwa kunipatia nafasi niweze kuichangia Hoja hii muhumi inayoshinikiza Serikali kusambaza maji kwenye taasisi za umma, zikiwemo shule za msingi. Ni dhahiri kwamba uhaba wa maji katika shule zetu ni suala nyeti linaloathiri pakubwa masomo ya watoto wetu. Nimetoka katika sehemu ambako takriban asilimia 30 ya shule hazijaunganishwa kwenye mtandao wa maji. Ni muhimu tuiunge mkono Hoja hii ili watoto wetu wapate maji masafi. Hii ni haki yao ya kimsingi ambayo inalindwa na Katiba.

Ninashule ambayo watoto hutembea takriban kilomita tano baada ya kusoma, kwenda kuchota maji ndio warudi shuleni. Ni jambo la kusitikisha kwamba miaka 53 tangu Kenya ipate Uhuru bado kuna watoto ambao ni sharti watembee kilomita tano kila siku kutafuta maji. Ukosefu wa maji shuleni mwetu unaleta athari za magonjwa na hali zingine zile.

Kwa hivyo, ninaunga mkono Hoja hii mia kwa mia. Ninamshukuru Mhe. Mwadime kwa kuileta Hoja hii kwa sababu itahakikisha Wakenya wengi wamepata maji masafi.

Asante sana, Mhe. Naibu Spika wa Muda.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Joseph Magwanga, Member for Kasipul, you have the Floor.

Hon. Magwanga: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Motion on water provision to public facilities.

First and foremost, I must thank the Mover, Hon. Andrew Mwadime for bringing this important Motion to this House for debate.

Water is life and lack of it leads to almost 35 per cent of diseases in this country. In the 1990s it was envisaged that in the year 2000 everybody would have water. This is the case and yet close to 60 per cent of the Kenyan population lacks water.

Kenya claims to be a middle income economy. It is very embarrassing that we go for benchmarking in a country like Israel and other desert countries which have provided water for all. What has happened to Kenya?

I support this Motion and encourage the Government to wake up and not assume that this very important role should be left to counties. Let the national Government contribute substantially towards availing water to all Kenyans in this century.

In the Millennium Development Goals (MDGs), it was planned that all people would have water in this country. It is as a result of corruption that we do very little and allocate resources which end up in people's pockets. I urge the national Government and county governments to ensure that water is available to our small children, so, that we may reduce the death rate as a result of waterborne diseases.

The heavy burden goes to the Kenyan women. I want to urge the Jubilee Government, if it means well for the women to provide them with water. It will go down in history that from 2013 to 2017, they did something which will make them proud at the end of their term.

Lack of water in our institutions has contributed to poor performance of girls and endangered them. Most of them are raped and end up with unwanted pregnancies.

I call upon everybody to support this Motion for the sake of our women, girls and safety of this country so that we can enjoy the fruits of our Independence.

Water, as a basic necessity has constantly contributed to conflicts in areas like North Eastern and maybe it is the cause of cattle rustling. By having water for all, we will minimise conflicts and cattle rustling.

Finally, it is shocking to see the Kenyan public sharing water with donkeys and foxes in the 21st Century.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Time well spent. The Member for Baringo County, the Floor is yours now.

Hon. (Ms.) Kiptui: Thank you, Hon. Temporary Deputy Speaker. I also want to add my voice in support of this Motion. Indeed, issues of water are critical especially in schools. Besides the provision of clean drinking water to school children, other individuals around schools will benefit from its availability.

There are some boarding schools which keep cows for milk, chicken and pigs and water is a critical component for the success of these projects.

Our young girls in boarding schools cannot do without water, especially when they are on their monthly periods. It is quite challenging for them if they do not get water.

It is unfortunate that 53 years down the line, issues of water have never been sorted out in this country. We are a lucky country because we get reasonable rainfall and, therefore, there is a lot of underground water. The only problem is that we are not managing and prioritizing issues

of water. If we can build more dams, boreholes and harvest rain water; we can have a lot of water for everybody.

In that respect, the Government needs to stamp its authority and consider the issues which governors are handling at the grassroots. We should jointly have a common approach on how to ensure that water is available to our students in learning institutions.

My colleagues have mentioned the issue of waterborne diseases which affect children who fetch drinking water from rivers. There is no certainty about the safety of water and there is no time to purify it before they drink. When these children are affected by waterborne diseases, they end up wasting a lot of learning time in hospitals. It is also costly for the Government to treat these diseases which can be prevented easily by availing clean water.

I support this Motion.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): At least, members are using their time well. We have only 10 minutes remaining.

Let me recognise seniority in this House. Let us have Hon. Nyiva Mwendwa, the voice of Kitui and the first lady Minister.

Hon. Mrs. Mwendwa: Thank you, Hon. Temporary Deputy Speaker. I rise to support this Motion.

From the outset, I want to say that this Motion is long overdue. If I was to be asked, what is more important for schools between power and water, I would prefer water. This is because water is more important than power. Maybe some Members might not have as much problems as those of us who come from arid and semi-arid areas. I recommend that water is taken not just to primary schools, but to all schools with no water, both secondary and primary.

In the semi-arid areas you meet children carrying plastic bottles with mud inside and they call it water. That is what they drink. You will be surprised that some of it is even taken to teachers to prepare their food. These also children drink this water. Definitely it affects their growth because it causes many waterborne diseases.

It is important to point out that it is not cheap to pipe water to schools, but if we were thoughtful of our children, we would roof most of the institutions with corrugated iron sheets so that we can harvest a lot of water. Where I come from, in the past we have had Danish International Development Agency (DANIDA) providing water to schools. They would harvest rain water from the roofs and store it in big concrete tanks they had constructed. It was a shame that the tanks were not looked after properly. We would draw the water completely and leave the big concrete tanks empty and most of them cracked. I am sure today, with the advancement we have, it is possible to even have these tanks. Today there are very large plastic tanks which can also be installed. This can be an alternative where piping of water might take long. It can be a stop-gap measure while we wait to be connected with piped water. If we were convinced about piping water to schools the way we connected power to schools, we will be many miles ahead. This is definitely long overdue.

I do not think this should be pushed to the county governments because this is a major programme. It is embarrassing when we go to desert places like Israel and Egypt where there is no rain. Israel depends on Lake Galilee for piped water. This lake is smaller than Lake Naivasha and yet they pipe that water, not just for domestic use but also for irrigation. It looks like we do not want to develop anything to do with agriculture. I think time has come for us to act. I hope this Motion will be a wake-up call because I cannot see anybody objecting to it. I support it. If

there is anything we can do urgently the way we did with electrification of schools, let us provide water to primary and secondary schools.

I thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Member for Kiharu Constituency, you have the Floor.

Hon. Kang'ata: Hon. Temporary Deputy Speaker, I rise to support this Motion. The reasons are several. One, if you look at Vision 2030 which this country gears to, you will find that it is a must we have this Motion put into effect. It is one of the key social and economic pillars for us to achieve Vision 2030. It appears we are off track in achieving that Vision. That Vision is based on some certain assumptions. One assumption is that we need to grow our economy at the rate of 10 per cent per annum, but so far we are cruising at about 5.5 per cent per annum. This means all factors remaining constant we shall not be able to reach that target. Therefore, this should be one of the areas that the Government should allocate more resources so that we can raise our Gross Domestic Product (GDP) and ensure equality.

What are the benefits the society is going to accrue once we adopt this Motion? One, as has been said by previous speakers, is the issue of health. Water forms the greatest component of what we eat. Therefore, if we have clean water accessible to each and every child going to school, we will reduce the disease burden in this country. Secondly, the hours spent by school children and their parents to get water will be reduced. Those hours can be employed in more productive activities. Thirdly, this water can be used for production of agricultural produce. We can do some small irrigation which will benefit people.

I have used the NGCDF money mainly to target provision of water. I have been piping water to schools. One of the reasons is that schools are objective parameters of whether you are doing a good project or not. Compare that with when you pipe water to a village. There is no indicative measure as to whether you have done that or not. I pipe water to schools and ensure our children have water. The villagers can access the water from the pipeline to schools. From my experience, I have realised once you do that, for sustainability, you need to surrender those projects to the area water companies. They are the ones to repair the taps wherever they burst and maintain the pipelines. However, I have realised that a majority of the companies are poorly managed. At times they give you advice or tell you to take water to a particular point only to find that they have very little water. When they say they will ration water, they do not do it as per the schedule.

Once we pass this Motion, I think we also need to ask ourselves how we are going to ensure those projects are sustainable. I would imagine once the Government embraces this project, it may decide to sink boreholes. Again, there is the element of cost. A borehole can be powered by electricity. I am aware of some pumping which is powered by solar system. In the modern world, clean energy is now powered by solar. That is the best option. In the worst case scenario where installation cost is very high, the Government may consider sinking a borehole that is powered by electricity. It can be very expensive. Therefore, I urge that when we will be doing appropriation or a supplementary budget, we set aside some amount for this work.

How much does it cost to sink a borehole, for instance? It costs about Kshs1.5 million. After that you build a pump house where you will keep the switches and install a pump.

That may have cost about Kshs2 million. Then you have to build a tank. Assuming that you build a tank like the one I am building in my constituency at Kigwa Primary School, it will cost about Kshs3.4 million. That is a tank with a capacity of about 100,000 litres hosted by a 12 metre pillar. In total, with all factors remaining constant, it may cost about Kshs6 million. As

other Hon. Members have said, that is a rational cost. It is a cost that I would urge Members to provide in our budget. On the other hand, the issue of maintenance is something we need to discuss. I would propose several ways of maintaining such a facility.

First, we can tell the school administration to be selling water to residents in the neighbourhood to obtain some premium. The money obtained can be used for payment of electricity bills and meeting the maintenance costs of the borehole. Secondly, we can vest the management of such facilities in water companies covering the localities in which the schools are. The advantage of doing so is that it will be easier to maintain the facility because you enjoy economies of scale. All the people being served by water companies will be sharing the operating costs of the borehole. In any event most of the companies have the technical expertise to ensure sustainability of the projects.

I am giving these views because I am imagining that this Motion will pass since there is no opposition to it. I have given the idea of either vesting the management of boreholes of all facilities that are going to be undertaken---

(An Hon. Member walked into the Chamber)

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Hon. Member who is on the walkway, please do the necessary. If you want to consult, you can come back later. I can see that water is an interesting area for ladies.

Hon. Kang'ata: Hon. Temporary Deputy Speaker, if this Motion is implemented, we will either allow the area water companies to run the water facilities or the schools will be trained on how to manage water systems to ensure that this idea is sustainable. In my opinion, this idea makes a lot of sense. If we are to adopt the idea of giving water companies the mandate of running these water systems we will need to address the issue of governance of those companies. I say so because in my constituency I have three water companies, namely; Gatamathi, Kahuti and Murang'a Water and Sanitation Company (MUWASCO). Among the three companies, only MUWASCO is fairly well administered. The rest have gaps in the area of management. They give advice which later on turns out to be erroneous. Looking at our budget, how do we expend our resources? There is a lot of money that is going to security-related projects. I had personally moved an amendment – which was unfortunately not agreed upon by the Members of the Budget and Appropriations Committee – to channel more money to our schools to particularly cover the areas of water and school feeding programme. I still hold the view that the money, which may be expended through the support of this entity--

Hon. Oyoo: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): The Member for Kiharu, there is an intervention. Hon. Oyoo, please state what your intervention is. Is it a point of information or a point of order?

Hon. Oyoo: Thank you, Hon. Temporary Deputy Speaker. Given the massive interest that this Motion has generating, we need to advance our arguments on timelines because---

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I agree with you but we have to follow the procedure. You know at what point in time to reduce the time of each Member speaking. Nevertheless, I would like to request Hon. Members to shorten their speeches in the event that they feel they are repeating themselves for the sake of availing time for other Members to also contribute.

Hon. Kang'ata: Hon. Temporary Deputy Speaker, I just want to alert the people who prepare the budgets that they allocate a lot of money on security related projects. A poor country like Kenya ought to put more resources in social programmes like health and water. This idea makes a lot of sense and I would urge the people who make budget----

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Your time is over. Let us listen to the voice of the Member for Rarieda, who is the Chair of the Public Accounts Committee (PAC). After that we will listen to the voice of the people of Kwale County

Hon. (Eng.) Gumbo: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this important Motion. I would like to apologise to my friend, the Mover, Hon. Mwadime because we almost had a quarrel when I refused to second his Motion, because he is very passionate about it.

There was a time when I had some discussion with a friend of mine from Israel. The argument was on what was more important for human life between water and oil. We both agreed that water is by far more important than oil. Human beings can survive without oil, but not without water. The paradox was how then it can be possible that Kenya, with very many water masses perennially suffers water shortage with most Kenyans, including those in major urban areas like Nairobi's upper-class areas, where I have stayed, not having running water for the last 13 years. It is a paradox that despite having access to such big water masses, we are not able to provide our people with water.

In my view, this Motion is very good although I have just discussed it with my friend, Hon. Mwadime. We should amend this Motion to read that the House resolves that the Government formulates a financial framework for the provision of clean and safe water, and not just tap water. What we are looking at is to be able to supply clean and safe water to all our public facilities, especially primary schools. This is because water is life.

Hon. Temporary Deputy Speaker, I have argued about this case many times in this House – that Kenya has no reason to be water deficient. The average annual precipitation in this country is 1,500 millimetres, which means that on average we get about 1.5 meters of water every year. One then wonders why rain water harvesting has not been a major option of ensuring that we have sufficient water for domestic use in this country. If you look at the question before us now, you will appreciate that, on average, every school has a footprint of about 1,000 cubic metres of water. If you take precipitation at 1.5 meters, that would give you 1.5 million litres of water in a year. If the average pupil and teacher population was taken at 400 people, that is enough water to supply those people for 375 days, taking the average consumption to be 10 litres per day. We know that schools do not run throughout. On average, in a year we have about 250 days of school days. That will leave us with about 125 days of water that can be utilized for irrigation or growing crops and even for community use.

Let us look at this Motion broadly because the idea is not just to provide tap water, but the idea is to provide clean and safe water. We are just not being innovative enough. The idea to supply electricity to all our schools is good but between electricity and water, which one is more important? It is a fact that you can live without electricity, but not without water. Whereas, I agree that contemporary times require us to have electricity which we can also get from solar energy, we do not have to go the grid. The contemporary life that we lead requires us -- I think the priority honestly for me should have been for all our primary schools to have clean and safe water. This is because when we take water it is on average every Kenyan lives within a radius of about three kilometres from your primary school. I have just demonstrated to you that if

we can have a way of harnessing rain water that we get--- This is because Kenya is not rain water deficient. A precipitation of 1500 millimetres is very high.

Hon. Temporary Deputy Speaker, I was just reading a comparison between Kenya and Yemen the other day. Yemen has a precipitation of just about 50 millimetres and their main source of water is rain water. Therefore, one wonders why for example major urban centres like Nairobi have not made it a policy that everybody who puts up a house so that we ease the pressure on main water supply sets up a tank. This is because it is much easier and much cheaper for us to harvest it. For some reason, people tend to think that rain water is unsafe. I have just indicated that I have lived in a neighbourhood in Nairobi which is considered to be among the upper-class neighbourhoods but have never had running water for the last 13 years. We basically use rain water and to the best of my knowledge it is very safe. This is because these days, methods of water treatment make water safe and within the bracket that it can be consumed by humans is very cheap. We have very cheap ways of maintaining water hygiene.

I think this Motion is very good. However, I would request my friend and I have discussed with him that we go in this direction. Even as we go this direction, the question must be asked. This is an extremely good Motion because it touches on the lives of every Kenyan in this country particularly young people. As we discuss this Motion, we have to go back and look at where we have come from. We have discussed similar Motions before. There was a Motion here which was put to provide 20 kilometres of roads to every constituency in the country per year. It was passed and the House resolved but none of that is happening now. In the first year there was an attempt by the Constituency Roads Committees (CRCs). At least, mine made proposals on the twenty kilometres of roads that they were to do but nothing is happening.

This House must refuse to be seen as an institution which is no more than a mere talk-shop. We make resolutions. This House represents the will of the people. When we pass this Motion, the people of Kenya have spoken because all the 40 million Kenyans cannot come to this House to debate this Motion. That is why we are constitutionally speaking on behalf of the people of Kenya. I would have thought that by going presidential, resolutions of Parliament would have more weight in terms of implementation but it is curious that these days we debate an important Motion such as this one and immediately the House votes on it, that is as far as it goes. Why then would we be utilising valuable time to go about this?

Hon. Temporary Deputy Speaker, I highly support this Motion and I would be requesting my good friend, Hon. Mwandia that we make that small amendment so that instead of providing tapped water, we talk about providing clean safe water to all our schools. It is not just the schools. It is a fact that even by taking electricity to schools, the immediate neighbourhood benefits. There are many parts of this country where getting tapped water may be very expensive. Let us look at the economics of what would happen if we were merely to harvest rain water which is available and comes freely from God. All we need to do is to have reservoirs which can store the water, do some little treatment and our children and the neighbouring community would be able to have clean and safe water for their use.

Hon. Temporary Deputy Speaker, I support and urge this House, especially the Committee on Implementation to ensure that this Motion gets its way into the policy frameworks of this nation.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us now have the Member for Kwale, Hon. Zainab Chidzuga.

Hon. Barchilei: Thank you, Hon. Temporary Deputy Speaker, I am not the Member for Kwale---

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member for Soy, you are next after Hon. Chidzuga.

Hon. (Ms.) Chidzuga: Shukrani Mhe. Naibu Spika wa Muda kwa kunipatia nafasi hii. Mheshimiwa usitie wasiwasi. Utapata nafasi maana Kwale na pahali unakotoka ni tofauti. Tena wewe ni mwanaume na mimi ni mwanamke. Kwa hivyo tuko tofauti.

Hoja hii imekuja wakati unaofaa lakini kwa wakati ambapo tupo katika mashaka makubwa kumaanisha ingefaa ije mapema zaidi ya hivi. Pia, ninampongeza Mhe. Mwadime kwa sababu maji ni uhai. Wakati tunazungumzia maji yaenezwe katika shule zetu, pasiwe kwamba ni shule chache. Haya maji yanahitajika sana haswa tukiangalia hali iliyo katika shule zetu na nikizungumzia sehemu za kwetu. Katika sehemu za Kinangop, Matuga na Lunga Lunga, kuna maeneo yenye ukame kwa sababu mvua haijanyesha mwaka huu. Watu wetu wako katika hali ngumu wakati huu. Watoto ndio wanaoathirika sana.

Kwanza asubuhi akiamka, mzazi wake hana hata maji ya kumtengenezea kiamsha kinywa wakati anaenda shuleni ambapo anafika akiwa hana maji ya kunywa. Ukiangalia mtoto wa kike ambaye wakati wa hedhi unapofika, utakuta kwamba anahitaji maji ya kutumia kwa usafi. Kwa vile hakuna maji, yule mtoto haendi shuleni.

Kusema kweli, sisi kama Bunge tunastahili kuwa na msukumo kuhakikisha maji yamepatikana bila kusema kwamba haya ni majukumu ya serikali ya kaunti. Maji ni uhai na uhai huu hauko kwa kaunti peke yake bali ni kwa nchi nzima. Ni wajibu wetu kama Bunge tuangalie katika makadirio ya ziada, tuweke pesa hapo ili wananchi waweze kupatiwa maji katika shule zetu zote. Kwa mfano, tuna huu mradi wa NYS mashinani, na nikiwa hapa ninaipongeza Serikali kwa huu mradi. Huu ni mradi ambao ungeweza kuokoa pesa kwa sababu vijana watakuwa wakisimamiwa na kufanya mambo tofauti ya ujenzi wa taifa katika maeneo tofauti. Ikiwa hizi pesa zitaekezwa katika NYS, zitatumiawa katika uchimbaji wa mabwawa, visima na mitaro ya kuweka maji karibu na shule zetu.

Tukitumia vijana wa NYS, tunaweza kurekebisha paa za shule na kuweka mipangilio ambayo itaweza kukusanya maji kwa kutumia magari. Katika maeneo yangu, shule zote hazijatenga maji ya kusaidia watoto wakati wako shuleni pamoja na walimu wao. Hii pia inachangia zaidi ukosefu wa utulivu wa watoto katika masomo.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Chidzuga, you will have five minutes in the next sitting to contribute to the Motion. Hon. Members, we still have one hour twenty five minutes in the next sitting as has been appropriated by the House Business Committee (HBC) for us to debate the Motion by the Member who has just presented it.

I must appreciate the interest in the Motion. Next was the Member for Soy. I am sure you will have the opportunity next time. We also have Hon. Seneta who is Kajiado County Women Representative; Hon. Michael Onyura, the Member for Butula; Hon. Wanyonyi who is the Member for Kwanza; the Member for Turkana Central and the representatives of the people of Likuyani and Baringo.

Hon. Members, the time being 1.00 p.m., this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.00 p.m.