

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 13<sup>th</sup> June 2018

The House met at 2.30 p.m.

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

### PRAYERS

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, let us open the doors so that Members who are out can come in. Members, make your way into the Chamber so that we can start business. We have quorum. We can start our deliberations for the afternoon.

### PAPERS LAID

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Washiali.

**Hon. Washiali:** Hon. Temporary Deputy Speaker, on behalf of the Leader of the Majority Party, I beg to lay the following Papers on the Table of the House:

Reports of the Auditor-General and Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2017 and certificates therein:

- (a) National Gender and Equality Commission.
- (b) Higher Education Loans Board.
- (c) Railway Development Levy Fund (Operations Account).
- (d) Receiver of Revenue – Ministry of Mining.
- (e) State Department of Petroleum.
- (f) Revenue statements of the State Department for Correctional Services.
- (g) National Assembly.
- (h) Ministry of Lands and Physical Planning.

Report of the Auditor-General and Financial Statements in respect of the following constituencies for the year ended 30<sup>th</sup> June 2016 and the certificates therein:

- (a) Ugunja.
- (b) Tongaren.
- (c) Lurambi.

Thank you, Hon. Temporary Deputy Speaker.

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

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Wandayi, what is out of order?

**Hon. Wandayi:** Hon. Temporary Deputy Speaker, I just wish to raise a small matter. When Hon. Washiali was going through the list of Papers, I was anxiously waiting to hear him mention one report which is long overdue. Sometime in the last Parliament, the Auditor-General was tasked to undertake a special audit on the Ministry of Health. During our examination of the 2015/2016 accounts of that Ministry, which we are commencing next week on Monday, it came

to our attention, as a Committee, the special audit report that was commissioned way back in 2016 had not been tabled on the Floor of this House. On inquiring from the Office of the Auditor-General, we were made to understand that they delivered that special audit report sometime in January this year. I have since established, through the secretariat of my Committee, that that report was delivered to Parliament, but it has not found its way to the Floor of this House.

I want to request the Leader of the Majority Party to help fast-track the tabling of that special audit report for us to deal with it as quickly as possible because on Monday, we are scheduled to be examining those accounts and that report will come in handy.

Thank you.

**The Temporary Deputy Speaker** (Hon. Omulele): Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, I totally agree with the Chair of Public Accounts Committee. If I am not wrong, I must have tabled that report either this morning or yesterday. I will check my records. There was a special report of the Ministry of Health which I tabled this morning. I am just checking with my records. I will follow it up.

For the benefit of the House, the Auditor-General works with the PAC. There is an officer of the Auditor-General's office sitting in PAC and a Member of the Committee also sits in the Auditor-General's office. Am I right? So, there is no way you can delink PAC from the Auditor-General. They are bedfellows. That is a very good report. I will come back to the House tomorrow before the Budget to say exactly when it was tabled or whether it has arrived. But I think I have tabled it. I will check.

**The Temporary Deputy Speaker** (Hon. Omulele): I think that business is taken care of. I see there is a report from the Chairperson of the Budget and Appropriations Committee (PAC). Is there anything from that direction?

*(The Temporary Deputy Speaker  
consulted with the Clerks-at-the-Table)*

I direct that we move to the next Order of business.

## COMMITTEE OF SUPPLY

*(Order for Committee read being  
the Third Allotted Day)*

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

## IN THE COMMITTEE

*[The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu)  
took the Chair]*

*(Resumption of consideration interrupted  
on 13.6.2018 – Morning Sitting)*

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Order Hon. Members, we are resuming the Committee of Supply from Vote No.1204, where we had reached this morning.

VOTE 1204 - MINISTRY OF TOURISM AND WILDLIFE

THAT, a sum not exceeding Kshs12,949,726,198 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1204 (Ministry of Tourism and Wildlife).

Let us have the Chair of PAC.

**Hon. Wandayi:** Thank you. Hon. Temporary Deputy Chairlady. I wish to support this, but with a rider. Tourism has potential... Has it been moved?

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Order, as the Chair gets organised, I must remind the Members that we are using the Supplementary Order Paper.

**Hon. Wandayi:** Are we on Vote 1204? Hon. Temporary Deputy Chairlady, I need your guidance. Can I proceed? I am getting confused here by my colleague and friend, Hon. Wamalwa. Can I proceed and make some comments?

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Yes, you can proceed, but we are informing the House for the sake of other Members, if you are having the Supplementary Order Paper, you are good to go.

**Hon. Wandayi:** Regardless of what Order Paper I am holding, is it Vote 1204?

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Let me hear from the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Chair of the Budget and Appropriations Committee, for those of us who were here in the morning, took us through to Vote 1185. The Supplementary Order Paper has been reorganised. Some of you are using the old Order Paper that was used in the morning. Let us follow the current Supplementary Order Paper and the Chair is right. We are starting with Vote No.1204.

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Thank you. I am right. We are starting with Vote 1204. Hon. Members, as a point of information to the House, we are dealing first with the Votes that have amendments.

**Hon. Wandayi:** So, there is an amendment to this?

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Before my boss, the Public Accounts Committee Chairperson moves on, I order that the Supplementary Order Papers be circulated to the Members for us to transact business from an informed point of view.

**Hon. Wandayi:** Hon. Temporary Deputy Chairlady, I am still trying to find out if there is an amendment to this particular Vote. If there is not, then I can speak.

**The Temporary Deputy Chairlady (Ms.) Mbalu:** There is an amendment.

**Hon. Wandayi:** So, I would rather speak after the amendment has been moved.

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Yes, that is the point at which we normally speak. It is good you are allowing debate. Can we have any other Member? Member for Nakuru Town East, do you want to speak on this before I propose? Hon. Cecily Mbarire.

**Hon. (Ms.) Mbarire:** Hon. Temporary Deputy Chairlady, I do not know whether Members have that Supplementary Order Paper. Many of us do not have it.

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Hon. Cecily Mbarire, I have just ordered for it and I will remind them. I had just given an indication that the Supplementary Order Paper be circulated to the Members for reference. We can only transact business when Members can follow what we are doing. That is being taken care of.

I want to allow a few Members just to comment on the same. We are on the Ministry of Tourism and Wildlife. Member for Ugunja.

**Hon. Wandayi:** I am still not clear. I am being told there is a proposed amendment to this Vote. Is that true? If that is the case, why can it not be moved by the Chair of the Committee before I make my comments?

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Chair, PAC, there are procedures that we have to follow. This is a Committee of Supply, the first of its type in the 12<sup>th</sup> Parliament.

**Hon. Wandayi:** Nonetheless, I will proceed

**The Temporary Deputy Chairlady (Ms.) Mbalu:** You spoke to this. Do you want to comment on this?

**Hon. Wandayi:** Yes.

**The Temporary Deputy Chairlady (Ms.) Mbalu:** Just comment

**Hon. Wandayi:** Looking at Vote 1204, the money being appropriated, Kshs12.9 billion, may look like a lot of money. However, from where I stand or sit, it is proper. Tourism as a sector has big potential to earn a lot of foreign exchange for this country, which has had issues for a long time. In fact, tourism can be one of the biggest contributors to our Gross Domestic Product (GDP). Therefore, as much as I want to support this, we need to be sure that this money is being directed to the right places. For a long time, tourism has been made synonymous with the coastal region, but tourism can be harnessed everywhere including in Garissa.

Siaya County has big potential for domestic tourism. We have the great Ramogi Hills in the great county of Siaya. If you went to Kakamega County, you will realise huge potential for tourism such as the Kakamega Forest and the bull fights among other issues.

I want to urge this House that even as we support this appropriation, we take it upon ourselves to ensure that this money is directed to the right places. This will ensure that the tourism sector is supported in a holistic manner and not in a skewed manner as has been the case in the past.

With those few words, I support.

**The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu):** Thank you, the Member for Bondo, Hon. Ogolla Ochanda.

**Hon. Ogolla:** Thank you, Hon. Temporary Deputy Chairlady. I want to place a quick comment on the whole issue of tourism. In as much as I support the figures and allocation, there are one or two things which need to be looked at very seriously. At the moment, there are many other factors playing against the development of tourism. Some of them are transport and security related. Therefore, we might not want to look at tourism in isolation.

At the moment, we are losing many tourists to our neighbouring countries, particularly Tanzania. France has been a good source of tourists for this country, but many of them are going to Tanzania not because of issues of terrorism, but because of issues related to transportation like roads. Even getting to the airport from the city centre is a problem. There must be very creative ways of looking at this. Our destinations should not be very close to the capital city. We are losing tourists because of congestion in Nairobi.

A tourist may miss their flight once or twice and this is very negative on our side. If we made our destinations diverse and in different directions other than around the capital city or the

Coast where there are constant threats of terrorism, I want to believe that we will make a lot of headway. I want to recommend that the money we are putting in the Tourist Development Fund needs to be spread across to areas that have additional and diverse potential other than the traditional tourist destinations.

Thank you, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, before we mention the programmes, join me in welcoming, in the Public Gallery, students from Tenwek High School, Bomet Central Constituency, Bomet County; Kisau Girls Secondary School, Mbooni East Constituency, Makueni County and St. Mary's Secondary School, Naivasha Constituency, Nakuru County. They are all welcome to observe the proceedings of the House.

Now, we can mention the programmes.

*Programme 0306000 - Tourism Development and Promotion*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The Chair Budget and Appropriations Committee.

**Hon. Ichung'wah**: Hon. Temporary Deputy Chair, we have two amendments on this one.

I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, Kshs2,194,000,000 be deleted and substituted thereof with the figure Kshs2,520,000,000.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): You want to move both of them together?

**Hon. Ichung'wah**: Yes, they are related.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Just do one by one.

**Hon. Ichung'wah**: The first one is an increment of Kshs326 million towards tourism development and promotion. This is an allocation that had been removed from the Programme - Mama Ngina Drive Waterfront Development Initiative in Mombasa and a further Kshs100 million which had also been removed. We are reinstating this and another Kshs26 million which had been moved to Ushanga Initiative.

This amendment is to reinstate these two figures which had been removed by the Committee. I hope the Chair or, at least, the Vice-Chair of the Committee is here. They are aware what this amendment is about. Can I move to the second one because it is related?

**Hon. Wakhungu**: On a point of order, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): No! Let us do one by one. Hon. Chris Wamalwa.

**Hon. Wakhungu**: On a point of order, Hon. Temporary Deputy Chairlady. Ordinarily, when an amendment is moved, the Chair needs to justify. The whole House needs to know the justification and not just the relevant Committee. Otherwise, we can reject this amendment. That is why I am requesting Hon. Ichung'wah to give the justification so that all the Members here can know whether to vote yes or no.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Ichung'wah, maybe you can justify more. I do not know what Hon. Chris wants to hear.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, we must appreciate that the people who interact with departmental committees are Chairs and Members and not the Chair of the Budget and Appropriations Committee. However, I am informed reliably by the Vice-Chair of the Committee that the project is called Mama Ngina Drive Waterfront Development Initiative. It is in Mombasa and I do not have information on what it relates to. The Vice-Chair or the Members of that particular departmental committee are here.

I also indicated that the departmental committee had reallocated a total of Kshs426 million. This is Kshs200 million from the Mama Ngina project, Kshs100 million from another Vote still under this programme and a further Kshs100 million from a railway museum. On the wisdom of the Committee, they reallocated that money and the Budget and Appropriations Committee agreed with them. They said that the Ushanga Initiative, according to them, had more direct impact on the people of Kenya. As you heard from the Vice-Chair this morning, the Ushanga Initiative is touching the lives of our pastoralists' farmers especially those from the Maa Community, Turkana and Marsabit. They are the people who do beadwork and men and women who are doing art crafts and other projects.

This is a very good programme for the communities. It is not just promoting tourism, but empowering communities in those areas. Besides, it has also come up with safety net projects that we are doing for the elderly. They are recruiting women in those groups and listing them for the National Hospital Insurance Fund (NHIF). They seek to ensure that the people are truly empowered at the local level. Therefore, this money has been reallocated from that kitty to the Ushanga Initiative as follows: Kshs200 million, Kshs100 million and another Kshs100 from a railway museum. I am told in the wisdom of the Committee, they felt that Kenya Railways can build their own museum. We do not need to allocate money from the Ministry of Tourism to build a museum for them.

**The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu):** Thank you.

**Hon. Ichung'wah:** Are you satisfied, Hon. Chris? I am told even the Member for Kisumu Central, who is never satisfied, is now satisfied.

**The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu):** Hon. Chair, you are doing your duty of justifying and making sure they are satisfied. Hon. Members, with that explanation, I move to propose the Question.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairlady (Hon. (Ms.) Mbalu):** Hon. Makali.

**Hon. Mulu:** Thank you, Hon. Temporary Deputy Chairlady. I support this amendment, more so where funds have been provided to the Ushanga Initiative. I get concerned when I see money being moved from tourism development and promotion. Some of us have gone outside this country and have seen how tourism is done. The other day, we were in Indonesia. You realise that a country like Indonesia, which has only a beach and does not have wildlife, attracts 30 million tourists. In Kenya, where we have beaches and wildlife, we attract 1.5 million tourists only.

This Ministry needs to think seriously and start investing resources in the area of tourism promotion and marketing. Statistics have proved that any tourist who comes to Kenya creates about three direct employment positions and indirectly creates a lot of employment. We need to put more money in marketing our country as a tourist destination.

With these remarks, I support.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, every year we allocate huge resources to tourism. A city called Istanbul receives 30 million tourists a year and when we receive 1.1 million tourists in Kenya, we get excited. We have all it takes to bring visitors to this country. In fact, the Ushanga Initiative is going to empower a lot of women at the grassroots. I was told that the Cabinet Secretary for Tourism opposed this initiative. This House has given tax rebates to people who build hotels. They import materials and everything. Whatever we do as Parliament in terms of taxation must be reflected in the number of tourists visiting our country. I thank the Committee that deals with tourism and the Chair of the BAC.

Hon. Temporary Deputy Chairlady, if you allow me, I want to speak to the Chair of PAC. I confirm that I have tabled the Special Audit Report on the Accounts of the Ministry of Health for the 2015/2016 Financial Year. You now have work to do. It is a very interesting Report. I have read it. Please, make sure that you bring a report to this House showing who has stolen public money. I have done my bit.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): That is good information to the House. Hon. Cecily Mbarire, do you have a comment on this one?

**Hon. (Ms.) Mbarire:** Hon. Temporary Deputy Chairlady, I rise to speak as a former Assistant Minister in the Ministry of Tourism. I would like to strongly support this particular amendment and just say that it is one thing to challenge the number of tourists who come to Kenya and another thing to increase the numbers. Our biggest competitors in Africa are South Africa and Botswana who spend almost 10 times our budgets in promotion and marketing activities out there. Therefore, as much as we think this is a lot of money, this is a drop in the ocean if we really want to make tourism bigger than it is today. Even as we give money to the Ushanga Initiative, which I support because it helps women in pastoralist communities, they need a vibrant tourism to sell their wares. We need to improve on the quality of our tourism products. I have heard the Chairman of the PAC saying that, indeed, we need to start diversifying our tourism products across the country. That role is with county governments. It is up to every county government to identify a tourism product that they would want the Ministry of Tourism and Wildlife to market out there. It must be something that is marketable. The transport infrastructure must also be taken care of so that tourists can move from one place to another. I urge this House to support this amendment and go further in the next Budget.

This is a challenge to the committee in charge of tourism. Please, give tourism a lot of attention. We would want you to even have time to visit the exhibitions that happen out there so that you can understand the scope of work that takes place and understand our competition so that next time, you can push for more money into this very important tourism sector. Let this House know that tourism is the second-largest foreign income earner for this country. So, we must give it the attention it deserves. We must give it the money that is required to grow.

With those remarks, I support.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, with the kind of workload we have, it is good to be brief and to the point. Having listened to the contributions on the programme, allow me to put the Question.

*(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)*

*(Programme 0306000 as amended agreed to)*

*Programme 0307000 – Trade Development and Promotion*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Where is the Chairperson of the BAC? You are everywhere yet this is your business.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, you know, I have to keep on consulting with the relevant departmental committee Chairs. I would propose that those who have amendments to come and sit close to me so that if I need to consult, I do not have to keep on moving around. The second amendment is related to the first one.

Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates of Kshs2,667,987,235 and Development Estimates of Kshs2,620,000,000 be deleted and substituted thereof with the figure Kshs142,000,000 under Recurrent Estimates and Kshs0 under Development Estimates.

This is just a correction. If you look at the Estimates that were tabled before this House, which are in the Order Paper under that Vote, Kshs426 million had been taken out of this Vote and left a negative 283. Therefore, we are just correcting that mistake because it had been removed from the wrong Vote. It is just a correction of that mistake in the first instance.

*(Question of the amendment proposed)*

*(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)*

*(Programme 0307000 as amended agreed to)*

*(Programme 1019000 agreed to)*

*(Vote 1204 as amended agreed to)*

VOTE 1211: STATE DEPARTMENT FOR PUBLIC SERVICE AND YOUTH

THAT, a sum not exceeding Kshs17,510,867,600 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June, 2019 in respect of Vote 1211 (State Department for Public Service and Youth). Is there anybody who wants to comment on this? Let us have the Member for Saku.



**Hon. Dido:** Thank you very much, Hon. Temporary Deputy Chairlady. We have been putting in our cards. We want to contribute, but if the nature of this particular debate or contribution is pedestrian, we have no reason to be sitting in this House.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Member, what are you doing now? You are supposed to contribute to the Vote for the State Department for Public Service and Youth.

**Hon. Dido:** I am contributing.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Make your contribution to this. Out of all the Members, you caught my eye. Can you go straight to the point?

**Hon. Dido:** For that reason, Hon. Temporary Deputy Chairlady, with regard to Vote 1204 for the Ministry of Tourism and Wildlife, there is compensation. There are many issues...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): No. I will not allow you to go back. You are a very senior Member of this House. Now that you cannot go back, please, contribute to the Vote for the State Department for Public Service and Youth.

**Hon. Dido:** I want to contribute on the allocation to the State Department for Public Service and Youth. In recent days, we have seen theft, pilferage and a lot of losses in the name of the youth to the tune of Kshs8 billion. If more investigations are conducted, the losses could be much more. All of us have been elected by the youth. Majority of our voters are the youth. The money that is held up at the national Government should trickle down and help our people, particularly in the area of devolution. This will make counties more responsible in looking after the affairs of the youth in a more focused manner than what we see happening at the National Youth Service (NYS).

In the media, there are those who are suggesting that we do away with the NYS. That is not the answer. We must restructure the running of the NYS so that funds - if allocated - can be properly adjudicated on programmes and we can quantify what numbers of youth are helped.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have the Member for Tongaren.

**Hon. (Dr.) Simiyu:** Thank you, Hon. Temporary Deputy Chairlady. While I would like to support what the previous speaker said, there is a disservice that has happened to the Kenyan youth through this Ministry. Article 10 of the Constitution, as well as the Public Finance Management Act, provide that any public officer who is supposed to spend any resources of the nation must look into the issue of equity. The youth service programmes in this country right from the last Parliament, have disenfranchised a very large number of youths in this country as if they do not pay taxes. The NYS programmes have been carried out in some constituencies and not others. That is discriminatory and unconstitutional yet this matter still continues. Even as the pilfering goes on, there is an unconstitutionality being propagated. It is important that this Ministry be aware that if they continue with that unconstitutional action, some of us might be forced to move to court and stop the whole matter going on. Youths in other constituencies deserve the same. They are also Kenyans, their parents pay taxes and they should be part of the programme. They should never be discriminated against. Instead, the NYS has been used as a political tool in the sense that the youth are recruited to propagate a certain political thinking. It is wrong and unconstitutional and the Ministry should wake up.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have the Member for Kiminini, Hon. Wamalwa.

**Hon. Wakhungu:** Thank you, Hon. Temporary Deputy Chairlady. Research has shown that 70 per cent of unemployed people are the youth. It is very unfortunate that the NYS that

implements this programme has been confronted with issues of corruption. It is like the NYS money has become an automated teller machine (ATM) for some people. I sympathise. I read the comments from the Budget and Appropriations Committee that they will not appropriate money anywhere where it has been misappropriated. In this case, we cannot run away from the problem of the youth. The challenge is the implementation of the funds. That is where the challenge is. If at all corruption at the NYS cannot be contained, then this money should be distributed to the counties. My worry is that maybe the counties will be worse.

**Hon. Members:** National Government Constituencies Development Fund (NG-CDF)!

**Hon. Wakhungu:** Maybe through the NG-CDF. It is only the NG-CDF that has a clear framework such that when you go to every village, you will find an impact. Maybe it is time we amended the law so that this money can be devolved at the constituency level. That is where we will be assured of equity. There is no equity. If you look at the allocation of the NG-CDF, it is standardised and equal everywhere in the country irrespective of the poverty ratio. It is high time we devolved this money further to the constituencies so that our youth can be catered for accordingly.

I support the Vote.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, so that we move, I will just give one minute to each Member. Let us have Hon. Kangogo Bowen.

**Hon. Bowen:** Thank you, Hon. Temporary Deputy Chairlady. Like my colleagues who have spoken before me...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Please, confine yourself to one minute. There are many Members who want to speak and we have a lot of business to cover.

**Hon. Bowen:** Hon. Temporary Deputy Chairlady, like my colleagues who have spoken before me have said, many of the youth in this country have suffered in the name of this Vote. We cannot punish our young people in the NYS. There are many of them who are being trained vocationally as mechanical and electrical engineers. We should not punish them because of a few individuals. I want to support this allocation. The fellows in that Ministry who are found to be corrupt should be put in jail. Otherwise, it is a good course.

I have tabled a Bill before this House to match the Uwezo Fund, the Youth Enterprise Development Fund (YEDF) and the Women Enterprise Fund (WEF), then we can devolve it to the constituencies so that our women and youth can access it at the grassroots level.

I support the Vote.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have the County Woman Representative for Samburu.

**Hon. (Ms.) Leshomo:** Asante sana, Mhe. Naibu Mwenyekiti wa Muda. Ninaunga mkono kitengo cha huduma ya vijana. Pesa hizi ni nyingi na zinasaidia watoto wetu. Tungepewa pesa hizi kama wawakilishi wa wanawake kwa sababu sisi pia ni sehemu ya Bajeti ya Serikali kuliko zile pesa zingine kidogo tungeongezewa. Wale vijana ambao wanaandikwa katika huduma ya vijana hawapati kazi baada ya kutoka huko. Hii pesa itasaidia vijana wakitoka NYS kuajiriwa kama polisi ili wafanye kazi kuliko kwenda mafundisho kisha wanabaki barabarani bila kazi.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Member for Garissa Township, you have the priority to speak. Hon. Members, I will give a chance to a few Members to contribute to this Vote. When we go to the amendment of the figures, we will limit the number of Members who will contribute. However, on this one, let me allow Members to contribute

because we are giving general information of the programmes. The Leader of the Majority Party is now speaking as a Member for Garissa Township.

**Hon. A.B. Duale:** The Member for Kisumu Central is telling you that I am here. That is not how we transact business here. The Chair is supposed to see the whole House.

My colleagues, Hon. Wamalwa and Hon. Leshoomo have said it all. We are allocating this money for the young men and women at the NYS. This House is under obligation not to punish those young men and women whom the media uses everyday as a screen shot in discussing corruption. The Vice-Chairperson of the Departmental Committee on Labour and Social Welfare is not even listening to me. Listen to me because I am talking about the Departmental Committee on Labour and Social Welfare. We said that every chairperson should bring a quarterly report about his or her State department and how they have used money, whether it is education or the NYS, so that this House, in its oversight role, can track every penny that it has appropriated. Otherwise, we will find people who are wired money and when they are arrested, the man who arrests them is also part of that family. You know this is a country of miracles! You are told that the lead investigator is a boyfriend to the woman who received the money. The hunter and the hunted are the same. It happens only in Kenya. It is very serious.

I agree with the Member for Tongaren that there are some constituencies which did not get the NYS cohort. There are many colleagues who did not benefit from that system. Let us talk about it before Hon. (Dr.) Eseli goes to court. We do not want him to go to court. Following the handshake, we want the next cohort to be given to constituencies which did not benefit last time. I am sure the work which the young men and women are doing, even in the cohorts, has changed their lives. Part of the Savings and Credit Co-operative Organisation (SACCO) money is what was stolen. The SACCOs are in a number of constituencies. The SACCO accounts of those young men and women are zero in a number of constituencies. Let us not punish the young people at the NYS because they have been exploited. Let us allocate them more resources. Let us support the Departmental Committee on Labour and Social Welfare, the whole House and the BAC to make sure we recover the money and it is used prudently to uplift the lives of our young people.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Member for Emuhaya, contribute for one minute.

**Hon. Milemba:** Thank you, Hon. Temporary Deputy Chairlady. It is also important to bring to the notice of the House that I am a Member of the Departmental Committee on Labour and Social Welfare. When we were making this Budget, we looked at the money. When we appeared before the BAC, we advised them that this money should be given to certain Vote Heads that could be devolved down to the constituency level. That included what the Members are talking about as the Youth Enterprise Development Fund, Women Enterprise Fund and the Uwezo Fund.

We reduced the money on this Vote because we noticed that when they appeared before us, they were extremely comfortable, apart from pending bills which were also doubtful. They had no questions unlike the mainstream Ministry of Labour, Social Security and Services. Therefore, we reduced the amounts. The reduced money was to the tune of Kshs5.7billion. We earmarked areas that were touching on construction and refurbishments. It was not mainstream cohort money. However, I can see that the mood in the House, led by the Leader of the Majority Party and others, has changed. We are a little bit more apologetic than we were two weeks ago. We are saying that we return the money to the NYS. As we do this, we must know that we risk

being a House that always says that it wants to catch the thieves, but we do not do it. We continuously lose money that belongs to the public.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Before I give the opportunity to the Chairperson who has been investigating the NYS, let me give the opportunity to the Member for Samburu West.

*(Several Members raised their hands)*

Members, I can see you have interest to contribute to this Vote. Some Members are raising their hands. We do not do that. However, I understand. Give her the microphone because we must move fast. Member for Samburu West, contribute for one minute please.

**Hon. (Ms.) Lesuuda:** Thank you, Hon. Temporary Deputy Chairlady, for giving me this opportunity to contribute. I also support this Vote. It is very unfortunate that over the years, the Kiswahili phrase *kazi kwa vijana, pesa kwa wazee* continues to be an issue that continues to arise in our country. I believe that we should not punish the youth of this country because of the mistake of the few who continue to reap the youth. I pray and hope that with the zeal that we have started to ensure that those who take away the future of our youth by stealing money meant for them, we will see these people behind bars regardless of their status, names and the community they come from. They cannot continue to impoverish the Kenyan youth and we continue, as a House, to reduce the budgets of the youth.

Finally, I hope that the Committee and even the Ministry will decide to give the different colleges of the NYS their allocations directly. If we are devolving corruption, let us remove it from here and take the money to the Gilgil College and every other college, so that the money can do the work it is supposed to do.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I will give the opportunity to Hon. Onyonka and then we can go to the programmes.

**Hon. Onyonka:** Asante sana, Mhe. Naibu Mwenyekiti wa Muda. Kama Mbunge ambaye anatoka eneo ambalo...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Budget your one minute.

**Hon. Onyonka:** Nitawachia hapo kwa sababu sidhani nitazungumza kwa dakika moja. Ahsante.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Member for Kisumu Central. Give him the microphone for one minute.

**Hon. Ouda:** Thank you, Hon. Temporary Deputy Chairlady. I cannot agree more with my colleagues, especially the Leader of the Majority Party, because the initiative and the thinking are good, but the implementation is bad. So, the Committee on Implementation and the Departmental Committee on Labour and Social Welfare should follow on the officers who are supposed to implement the budgets. Some of the assets must be recovered, so that we can help our youths.

*(Hon. A.B. Duale consulted loudly)*

Lastly, protect me from the Leader of the Majority Party. He should learn to treat me as his senior in terms of the votes he got. He has the title, but I have the votes.

*(Laughter)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): You are protected, but you should not go there.

Let us not waste time.

Hon. Members, allow me to give this direction. We are in serious business. Let us not do our small politics in the House. I will not allow that. Let us go straight to the point. There are many Members who want to contribute to this. This is a budget-making process. Let us wait until the House resumes its normal debates, Bills and Motions, for us to do the small politics. Take it from me that I am not going to allow that.

Let us now go straight to the programmes under the Vote.

*Programme 0711000 - Youth Empowerment*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): There is an amendment to this one.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs2,669,930,000 be deleted and substituted thereof with the figure of Kshs6,669,930,000.

The import of the amendment, as you have heard from the contributions from the Members, and I appreciate what Hon. Rasso has said, it will be needless to punish the young cohorts at the NYS. Hon. Dr. Eseli has said that we should not even use these youths as political puppets. I agree with the Leader of the Majority Party that, indeed, even those constituencies that did not benefit should benefit from the rollout of the programme.

Many of the youths at the NYS come from poor backgrounds. The most vulnerable in our society take their young men and women to the NYS. Hon. Milemba has misled the House in stating that the BAC declined their proposal. They came with a proposal to move Kshs5.6 billion and sought to have it allocated to the Uwezo Fund, the National Government Affirmative Action Fund, the Women Enterprise Fund and the Youth Enterprise Fund. We explained, after consultations with National Treasury, and indicated to the Chair and Vice-Chair who is seated here today, that all these Funds are being put together under the Biashara Fund. Therefore, we could not allocate further resources to that since they are being wound up into one. Hon. Kangogo has a Bill that provides that proposal.

*(Hon. Kilonzo spoke off record)*

Protect me from the Member for Yatta who is fond of shouting at the Chair when we have serious business.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I can hear him. He is asking where the money is coming from. Can you tell the Members where the money is coming from?

**Hon. Ichung'wah:** I was explaining the re-allocations sought by the Chair of the Departmental Committee on Labour and Social Welfare. We approved the allocation of Kshs5.6 billion. Further, as the BAC, in line with what we have said and what has been said by Hon. Wamalwa, we must not appropriate money to organisations where people misappropriate public funds. We took a further Kshs2.5 billion from the NYS.

However, following discussions with the Ministry, the National Treasury and other stakeholders, we came to the realisation that the Kshs8.25 billion we had taken from the NYS would effectively have made it unoperational. The cohorts who are there would have to go home. Over 10,000 young men being sponsored in TVETs would have to go home. So, we have sought to re-allocate Kshs4 billion to cover the sustenance of the cohorts who are currently at the NYS. There will be no new programmes and activities. It is just to cover the activities of the cohorts who are there now. They required a further Kshs1.3 billion to continue sponsoring those who are training in TVETs, so that we do not send them home. Therefore, we sought to reallocate Kshs4 billion. It is still short of about Kshs300 million to cater for capitation for those in TVETs. That is all we are doing.

*(Loud consultations)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Order Members! You cannot raise a point of order. I do not know what is wrong with Members this afternoon.

**Hon. Ichung'wah:** *(Off record)*.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Which question?

**Hon. Ichung'wah:** The question the Member for Yatta asked is the same the Member for Kisumu Central, the famous Auda, if it is not Ouru, has asked. If it is not Ouru, it is Auda. They are asking where the money is coming from. I have explained it. This is money that was already allocated to the NYS. Therefore, all we are doing is returning what had been taken away.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Thank you.

*(Question of the amendment proposed)*

Member for Yatta, take one minute.

**Hon. Kilonzo:** Thank you, Hon. Temporary Deputy Chairlady. The Chair of the BAC is being very smart. He is not saying where the money has come from. He needs to say to which Vote it has been taken to and from which Vote he is accessing it. He needs to come out very clear. Yesterday, we knew where the money was. It was meant for roads and we took it back. So, we want to know where the money is coming from.

It is very clear that money which has been going to the NYS has been benefiting the wrong people. The Leader of the Majority Party has been saying that the House should not punish the youth while it is the Government, in which he is the Leader of the Majority Party, which has been punishing the youth. We have had the NYS Season I and now there is NYS Season II under Ngirita. He has even confessed that they were not funding the youth in areas which were perceived to be under the National Super Alliance (NASA). But now that there is a handshake, he is going to. I am very curious that now that the Wiper Democratic Movement has not done the handshake, if he is going to give any money to areas where Wiper is dominant.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): All has been said. I need to put the Question to this. Leader of the Majority Party, do you want to make a comment?

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, when we were discussing the Budget Estimates at the Committee of Supply, Members needed to refer to the BAC Estimates which we adopted in the House. The Chair is trying because the Departmental Committee on

Labour and Social Welfare has denied this Vote in terms of the amount of money the Chair is returning. So, it was their money.

When my friend talks about the NYS and corruption, we do not want to go back to history. There are many issues. So, let us move this country forward. Let us pick from where the handshake started. If we go back to historical injustices, we will talk until the cows come back home.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, as I said, let us confine ourselves to the Budget. The public will be confused with the budget-making process.

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

*(Programme 0711000 agreed to)*

*(Programmes 0710000 and 0709000 agreed to)*

*(Several Members stood up in their places)*

Hon. Members, I can see you are calling for a division, but you are less than 30.

*(Vote 1211 agreed to)*

#### VOTE 1212 – STATE DEPARTMENT FOR GENDER

THAT, a sum not exceeding Kshs4,670,079,282 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June, 2019 in respect of Vote 1212(State Department for Gender).

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Makali Mulu, Member for Kitui Central, do you want to debate on this one?

**Hon. Mulu:** Thank you, Hon. Temporary Deputy Chairlady. Even as I make my contribution on the State Department for Gender, you might need to guide the House in terms of procedure because the amendment has been rejected for the above Vote, but the main Vote has been accepted. If we had rejected the main Vote, we would have dissolved that department. That needs to be clarified.

In terms of gender...

*(Loud consultations)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Can we listen to Hon. (Dr.) Makali Mulu? He is a Member of the BAC.

**Hon. Mulu:** Hon. Temporary Deputy Chairlady, as a Member of the BAC, it is better we provide some information to the Members. What has just happened to the above Vote is that the amendment has been rejected. If they had rejected the second, they would have deleted that

Department. So, the second approval is in order because it means whatever money was there remains, but this amendment has been rejected. That is basically the issue.

Let me say something about gender. Gender issues are becoming very important in this country. I support the allocation to this department. When you look at the population figures in this country, it is obvious that we have more women than men. Generally, while gender does not mean sex, women have been disadvantaged over time. Anytime we push for more money to this department, we provide opportunity for our women and daughters to move to the next level. I plead with the Members to support this allocation to this department. By doing so, we will be promoting this country.

With those remarks, I support.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Cecily Mbarire.

**Hon. (Ms.) Mbarire:** I rise to support this particular Vote. For a long time, we have been treating gender issues as issues of the lips. We now want to see action in terms of real money being put in that department. On matters of gender, Kshs4 billion is just a drop in the ocean. Matters gender affect both men and women. There is a real issue, and I am sure the Secretary General of the Kenya National Union of Teachers (KNUT) will agree with me that the boy-child is endangered. I know that the Ministry of Public Service, Youth and Gender is going to initiate a programme to ensure that we empower the boy-child. I hope the Members will not treat this one the way they treated the other one. This is as critical as the other one. Please, let us pass this amendment.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, these are interesting times. People are supporting gender when they have just killed the budget of the young people of this country. So, this House must agree on how to protect the mother yet kill the child.

The Committee of Supply is a very serious legislative procedure. People want to support gender; allocate more money to the ladies and then kill the other part of humanity. We need to find the balance. I am sure all is not lost. As a person who speaks for the Executive, I want to confirm, on record, that the purported resources that you are being told by the Chair of the Departmental Committee on Transport, Public Works and Housing and others is part of the deficit in this Budget. I do not know how we are going to fund a deficit in this Budget. But I just support this gender issue not because of any other reason, but because I have been carrying the gender Bills and burden. I was not doing this because of the sitting Members of Parliament here, but because of my old mother who made me who I am today. I will always stand with issues that deal with women.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Thank you. Allow me to go direct to the programmes.

**Hon. Ichung'wah:** We were consulting because I was a bit hesitant. But in the spirit of being magnanimous, Members will confirm that the BAC has been very kind to issues relating to gender and youth. I want to be on record that we should not kill the dreams of our very poor and vulnerable children because of the sins of very greedy adults. More so with the misconception that the money you take from the poor children will benefit you, as a Member of Parliament in a constituency, on roads. It will not happen. As the Leader of the Majority Party said, it is money that is not there. It will not be there because it builds on to the...

*(Loud consultations)*



You can shout, you can yell, but facts will remain facts. Facts are so stubborn, like figures.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Chair, Hon. Members did what they did. Please, we are on your Budget and you are taking us back. There is no way the Chair will stop other Members from speaking to this.

**Hon. Ichung'wah:** This amendment is very important.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Order, Hon. Chair of the BAC! When the Temporary Deputy Chairlady is speaking or addressing the House, you also will have to listen.

This is the direction I am giving. We know this is a House of rules.

**Hon. Bowen** (*Off-record*)

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): There can be nothing out of order when the Chair has not even moved. He has to move, then you can contribute. That is why I want you, Members, to give the Chair time, to move his amendment and then we can speak to it. But every time we start confusing ourselves, you will confuse the whole procedure.

Chair, please, move your amendment and stop talking about anything else that is outside the department you are dealing with.

*(Loud consultations)*

**Hon. Alfred Keter** (*Off-record*).

**Hon. Ichung'wah:** There is a lot of noise behind. You have to protect me from Hon. Alfred Keter. After I move the amendment, I think he will have an opportunity, if you happen to notice him, to say anything substantive he will have to say.

The amendment relates....

**Hon. Mulu:** On a point of information, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): He is already moving. It is nothing like that. Are you informing your Chair?

**Hon. Mulu** (*Off-record*).

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Before the amendment, let us hear what Hon. Makali has to say. It has nothing to do with the amendment because the amendment has not been moved.

**Hon. Mulu:** Thank you, Hon. Temporary Deputy Chairlady. I have a lot of respect for my Chairman because I am a Member of that Committee. But I get very worried when I hear the Chair of the BAC, knowing very well that the Constitution and the Standing Orders of this House give this House the mandate to make budgets, change budgets and do whatever they want to do with the Budget saying that we have allocated money and it is an exercise in futility. I get very worried, as a Member of the BAC. So, I would want my Chair to allow other Members to say that, but not him.

With those remarks, thank you.

*(Applause)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The Leader of the Majority Party.

**Hon. A.B. Duale:** The Chair of the BAC has committed no crime. What he has said, and it is within the reading of the budget-making process, is that what you are trying to do is to allocate money, which is part of the deficit. I am saying for him, being the Leader of the Majority Party.

*(Loud consultations)*

If he did not say that, I am saying it as the Leader of the Majority Party.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): This is before the Chair moves. Hon. Chairperson of the BAC, you called for this. You must be confined. Let me hear what Hon. Milemba has to say. This is before moving the amendment. I just have to allow one here and one on the side so that we can move.

**Hon. Milemba:** Thank you, Hon. Temporary Deputy Chairlady. Is it in order that the Chair of the BAC intimidates this House, supported by the Leader of the Majority Party, and says that the exercise we are involved in is an exercise in futility yet the law says we are the ones who should make and amend the Budget? You must protect the dignity of this House, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Otiende?

**Hon. (Dr.) Otiende Amollo:** Thank you, Hon. Temporary Deputy Chairlady. The point of order I raise is under Standing Order No.87(2). I raise it because the Leader of the Majority Party has said this severally and the Chair of the BAC has also kept saying it. They keep referring to the decisions we have made. Standing Order No.87(2) says that it shall be out of order to introduce an argument on any specific question upon which the House has taken a decision during the same Session. The House already took a decision on this. The Leader of the Majority Party and the Chair of the BAC cannot keep arguing with the decision in the same Session. So, I think they are completely out of order and they should not be allowed to do that.

*(Applause)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Given that, that is the decision I have made. The Chair of the BAC, it is important to confine yourself. We have said this several times. Hon. Chair of the BAC, you are opening up a lot of unprocedural issues in the House. Please, let us confine ourselves to the Vote that we are debating for us to make progress. So, Hon. Chair of the BAC, can you move the amendment to the Vote on gender?

*Programme 0911000 - Community Development*

**Hon. Ichung'wah:** I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs2,375,000,000 be deleted and substituted thereof with the figure Kshs2,675,000,000.

This amendment is meant to support our county women representatives through the National Government Action Fund. We are increasing for them a mere Kshs300 million that will support our women Members of Parliament in their Affirmative Action Fund to do a lot of important work back in our constituencies. These are our women representatives who represent our constituents. The chair of the caucus will tell you that part of this money is going into

bursaries that are helping very vulnerable children in our villages. The other important thing is to mention where this money came from because Hon. Ouda will ask that question. This money is coming from the Lake Basin Authority. As we mentioned yesterday, they had allocated Kshs800 million towards the payment of a loan for a mall and the House and the Committee pronounced themselves in not seeing the value in paying for a shopping mall when our women representatives are incapacitated in terms of what they can do for our constituents. Therefore, we reallocated Kshs300 million from the mall in Kisumu to help Kenyans across the country.

I beg to move and urge Members to support this in support of our women representatives.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Cecily.

**Hon. (Ms.) Mbarire:** Thank you, Hon. Temporary Deputy Chairlady. I must appreciate the fact that we see the need to continue increasing the amount of money that is going to women in the 47 counties. Out of experience, I want to say that a county is not a small affair. A county is a heavy burden on the women Members from the counties. I want to urge that this becomes the first step towards the right direction, so that going forward, in the next coming budget, we can enhance this amount of money to even better amount. Not just Kshs300 million, we need to put billions into this Fund because it is the right people. This Fund is important to women, youth, persons with disabilities, orphans and the nation.

With those many remarks, I support.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Chair of the Committee on Lands.

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chair, I support this. I am a Member of a constituency, but I would like to rise with our women representatives who are doing very important work. They are doing a very good job with regard to sanitary towels. What I would like to encourage them is that it is extremely important that when they are doing this work, they need to work with the constituency Members of Parliament, be they male or female. It is important for them to be in touch with the whole county. For them to succeed, they are better off working with the constituency Members of Parliament. I rest my case.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The Leader of the Majority Party

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, I think my interest is where we are getting the money from. I am sure Hon. Millie and all those who were with me in the 10<sup>th</sup> Parliament will remember that every year when we were doing the Budget, there was an allocation for a mall in Kisumu. We do not know when the Government became the custodian of building malls. I come from Eastleigh, where we have a business community that builds malls. The Chair of the Departmental Committee on Finance and National Planning should ask the Auditor-General to do a special forensic audit on that mall so that if this House will be convinced that we need to pay, then, in the Supplementary Estimates, we can allocate the money. For now, between the mall and the great women of Kenya, we feel that we should give that money to the women. The women must work with the constituency Members of Parliament. The constituency Members are here, they are more than the women representatives. The constituency Members are 290 and are supporting the county women representatives to get the money. So, the county women representatives have no chance of getting out of the Chamber and start fighting

constituency Members of Parliament. We want to help them increase this money year in, year out.

For the Chair of the BAC, the caucus is not recognised in the Chamber. So, when they are in the Chamber, they are sitting as individual Members of the respective counties.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu) Before I give a chance to the Chair, Kenya Women Parliamentary Association (KEWOPA), I would like to give this opportunity to Hon. Millie Odhiambo. Come to the Dispatch Box.

**Hon. (Ms.) Odhiambo-Mabona:** *(Off record)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Millie, the Members cannot hear you.

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Temporary Deputy Chairlady for giving me this opportunity. I wish to support the amendment. In supporting, I want to say that the KEWOPA caucus is recognised by the Standing Orders. We amended the Standing Orders to recognise KEWOPA. Even as I support, I want to say that there are some of us who worked very hard to ensure that the number of women in this House is increased. It was very difficult to ensure that is done. I am very disappointed that even as we are passing this Budget, the number of the 47 women who are in this House is very few.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Chair, KEWOPA.

*(Loud consultations)*

Hon. Millie Odhiambo, are you on record?

**Hon. (Ms.) Odhiambo-Mabona:** *(Off record)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, we have a problem with our microphone. Hon. Millie Odhiambo, are you on the microphone? Move to the next one behind you. Just one minute.

*(Several female Members stood in their places)*

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Temporary Deputy Speaker. Even as you give me one minute, part of my minute was taken when the microphone failed to work. I thank the women for standing because we have seen the numbers. Law is made in the House, not in *Whatsapp* groups. So, please, come to the House. The same way we managed to bring 47 women representatives, help us to work so that your money is increased and so that the numbers are increased in this House. Stop discussing in *WhatsApp* groups.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Chairperson KEWOPA, you will be the last one to speak on this.

**Hon. (Ms.) Ngirici:** Thank you, Hon. Temporary Deputy Chairlady. I wish to thank all Members of constituencies, the BAC and all the Members who have stood with us even those who felt that probably we were going offline or the 47 women representatives engaged you the wrong way. I wish to apologise on their behalf. I wish to say that we agreed and we have to look for a way that we will work with the 290 Members. Even on the part of bursaries, it is important that in as much as we have little money for bursary, we share between ourselves and the Members of Parliament, so that we can work together.

*(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)*

*(Programme 0911000 as amended agreed to)*

*(Programmes 0912000 and 0913000 agreed to)*

*(Vote 1212 agreed to)*

VOTE 1251: OFFICE OF THE ATTORNEY-GENERAL  
AND DEPARTMENT OF JUSTICE

THAT, a sum not exceeding Kshs. 5,154,129,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1251 (Office of the Attorney-General and Department of Justice).

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Anyone who wants to speak to this? Hon. Dennitah Ghati, do you want to speak to this? Hon. Passaris, just a comment on this.

**Hon. (Ms.) Passaris:** Hon. Temporary Deputy Chairlady, thank you very much for this opportunity. I am a bit disappointed. The Office of the AG and Department of Justice is where the budget for reparation was put. It was initially Kshs1 billion, then it was cut down to Kshs500 million, and now it has gone down to Kshs100 million to set up structures. For the last 10 years we have been talking about restorative justice and showing that the post-election violence, women who have been raped, women who have been inflicted with HIV, women who have born children of PEV, this is where there was supposed to be money to compensate them. It is really disheartening to see that not only was the budget scrapped but also there is no way forward for the many women out there who are suffering injustices. If we are talking about the handshake, if we are talking about taking this country forward, we cannot always suspend...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, I want to thank Hon. Passaris. What you have raised is in order, but the budget committee and even the Chair of Justice and Legal Affairs Committee is here, there is no existing legal framework. So putting all that money in there would have been very useless. What they have done is they have put Kshs100 million to jumpstart the consultation and stakeholder engagement on how to prepare the Bill so that the AG can send it to the House. Once we pass that piece of legislation, I am sure at the stage when we are going to do our Supplementary Estimates we will bring back the money.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): There is an amendment to the programme on governance, legal training and constitutional affairs.

*Programme 0607000 – Governance, Legal Training and Constitutional Affairs*

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Kshs1,048,000,000 be deleted and substituted thereof with the figure Kshs.648,000,000.

That Kshs400 million which is being reduced from that vote relates to that Restorative Justice Fund. As has been articulated by the Leader of the Majority Party, the fund does not exist as we speak and there is no legal framework for it. We have left Kshs100 million in relation to what the Member for Nairobi County was speaking to, towards establishment of that fund once the legal framework is built up. As confirmed, once that is ready more resources can be allocated. But for the time being it will not make sense to allocate money that will not even be utilisable for now. So we have just left Kshs100 million that is utilisable. The Departmental Committee on Justice and Legal Affairs Chair, Hon. Cheptumo, is aware and in concurrence. I am sure he can confirm that when he stands up to speak.

With that, I beg to move.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Before I propose the Question, Hon. Millie Odhiambo, can you put your mic off from where you are? It is not working.

*(Question of the amendment proposed)*

Is there any interest in this?

**Hon. Members:** Put the Question.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The mood is that I put the Question.

*(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)*

*(Programme 0607000 as amended agreed to)*

*(Programmes 0606000 and 0609000 agreed to)*

*(Vote 1251 as amended agreed to)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us go to the next vote.

#### VOTE 2041 - PARLIAMENTARY SERVICE COMMISSION

THAT, a sum not exceeding Kshs.15,664,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2041 (Parliamentary Service Commission).

Hon. Chair, do you have amendments to this? As the Chair gets ready can I get interest on the intervention as to who wants to debate on this? Hon. Kubai you want to say something on the Parliamentary Service Commission (PSC)?

**Hon. Kubai Iringo:** No, I am waiting for the Chair to give his input then I will come back.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Tongi from Nyaribari Chache Constituency.

**Hon. Tongi:** I would like to speak on the next one.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us go to the programmes. Chair, Budget and Appropriations Committee (BAC). Move to the programmes.

*Programme 0722000 - Senate Affairs*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Chair do you have an amendment on this?

**Hon. Ichung'wah:** Yes.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Please move the amendment.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, the figure Ksh6,414,000,000 be deleted and substituted thereof with the figure Kshs.6,374,000,000.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us go one by one.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, as you realise, I am sure it is not what the Leader of the Majority Party is thinking. I know what he is thinking but I am confirming it does not relate to what he is thinking. This is a reduction of Kshs100 million.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Please tell them the implication of deleting and substituting.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, there is a deletion from Kshs6.4 billion to Kshs6,374, 000,000. It is a small figure of about Kshs60 million. This is in relation to our parliamentary staff housing scheme. We had given them an additional Kshs750 million shillings but upon reconsideration of the figures, we reduced that to Kshs500 million so that Kshs250 million is shared between the two votes: that of the Senate and the National Assembly.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): So, in short for Members to understand, you are reducing the amount?

**Hon. Ichung'wah:** We are reducing the increase we had given them of Kshs750 million by Kshs250 million to leave them with an increment of Kshs500 million. The Senate Affairs Vote is taking its share of Ksh60 million shillings through that amendment and the others will also relate to the same.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I will straight away propose the amendment. Hon. Leader of the Majority Party you want to comment on this?

*(Question of the amendment proposed)*

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, I just want to put it on record. I have insisted a number of times that the allocation to the PSC between the two Houses must be allocated on pro-rata basis. This is a House of 349 Members against a House of 67 Members. If

you look at the workload given by the Constitution between the two Houses, you will find that there is too much workload here. We have been sitting here for the last three days as the Committee of Supply from morning to evening. I am sure the Chair of the PSC, Hon. Speaker, Commissioners and Hon. Keynan is here. We have not elected our Members to the PSC to go and eat *mandazi* and enjoy themselves.

We have put them there to ensure that there is equity between the two Houses. So, the Chair should declare as he moves the amendments. He needs to tell the House how much he is allocating to the Senate's monitoring and evaluation budget. He needs to tell us why he wants to empower the Senators to go round their counties and not empower the women representatives, single constituency Members and nominated Members of Parliament. We must know that reason. Why do you want to empower certain people? Parliament must be the House that gives equity in resource distribution and in law making.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): You have spoken it all. Chair, do you want to comment on that? That is the general concern of the Members. Just comment and I put the Question. Chair, Budget and Appropriations Committee please concentrate.

**Hon. Ichung'wah:** You know we had to consult with Commissioner Keynan because this is the Commission's Vote. You want me to move on to (b)?

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): No just clarify what the Leader of the Majority Party wanted clarified.

**Hon. Ichung'wah:** I was clarifying to the Leader of the Majority Party and he is satisfied.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): It was for the House. Chairperson, BAC, I am seriously disappointed in you today. The Leader of the Majority Party requested this and it is on the HANSARD.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, the clarification I was giving the Leader of the Majority Party and that is why I pulled the Commissioner aside, is that this is not my burden. It is the Commission's burden. They are the ones charged with the responsibility to ensure that there is equity amongst all Members of Parliament. So, I would ask that you allow Commissioner Keynan, who is here, to tell us what the Commission is doing.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Kioni, let me hear from you. You are not satisfied with the clarification?

**Hon. Kioni:** I just want clarification because we want to make a decision. We have just been informed that the answer may be coming from Commissioner Keynan. He is seated here. Why would he not just tell us the truth? He should tell us the truth and nothing but the truth.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Commissioner Keynan, due to public demand, please clarify for Members.

**Hon. Keynan:** Without delving much into details, I just want to give you one assurance. The other information will be given through our *Kamukunji*, our informal way of communication. But I can tell you we have taken care of the interests of each Member, whether you are in the Senate or the National Assembly. The details will be given through our informal channel of communication which you all understand. I beg you leave it here.

**Hon. A.B. Duale:** On a point of order, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): It is fair enough. Yes, Leader of the Majority Party.



**Hon. A.B. Duale:** My point of order is very clear. I gave my vote to Hon. Keynan with many other Members and he cannot take me for a ride, at least as a voter, because he does not take the people of Eldas for a ride.

I want Hon. Keynan to clarify to us whether in the budget which came from Parliamentary Service Commission there a vote called Senate Monitoring and Evaluation and tell us how much was allocated. Why not give the same amount to the County Woman Representatives, single constituency and nominated Members of Parliament? This is the question that this House must have on record. We do not want to address this in a *Kamukunji*. We want it on record if that vote exists. If it does not exist, he should say it does not.

If we are passing certain amounts of money for that... We have just said we cannot budget for restoration of justice because there is no existing legal framework. Also, there is no existing legal framework for allocating money to Senators. The Chair, Budget and Appropriations Committee must follow up on this. Hon. Keynan should explain to us if it exists because he is the only Commissioner here.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, should I put the Question? Hon. Keynan, please explain I want the Members to make a decision.

**Hon. Keynan:** Thank you, Hon. Temporary Deputy Chairlady. With due respect to the Leader of the Majority Party, you elected other Commissioners and I to deal with empirical facts. Let us not politicise our own welfare. This has been sorted out and the Chair, Budget and Appropriations Committee is a witness. It has been dealt with conclusively not unless we want to play politics. Please, let us leave it at that.

**Hon. A.B. Duale:** On a point of order, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I do not know what the Members are arguing about. As we conclude, let us have the Leader of the Majority Party.

**Hon. A.B. Duale:** On a point of order, Hon. Temporary Deputy Chairlady. Hon. Keynan has said he deals with... I want the Commissioner to listen to me, he has just said and gone on record that he is a man of empirical figures. I want to confirm and go on record that he is taking this House for a ride. I want him and the Chair of Budget and Appropriations Committee to explain to us, if in this Budget there is Kshs.500 million allocated to the Senate Monitoring and Evaluation. Tell us, if you are a man of facts.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): The last one is the Chair, Budget and Appropriations Committee. So I can put the Question.

**Hon. Ichung'wah:** Thank you, Hon. Temporary Deputy Chairlady. I want to respond to what the Leader of the Majority Party is asking, on whether there is a vote on Monitoring and Evaluation under the Parliamentary Service Commission. I want to confirm there is no such vote.

What was given to the Senators which we put in our Report, if Hon. Members of this House took time to read, was money under planning just like the NG-CDF and National Government Affirmative Action Fund for women representatives. So that it becomes compulsory to create regulations and a legal framework to enable Senators access this fund. Therefore, I want to beg like commissioner Keynan we continue with the other votes relating to PSC without much ado because this money is not in this vote.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, having listened to the Chair, the Leader of the Majority Party and the Commissioner, it is up to you to take the vote.

*(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)*

*(Programme 0722000 as amended agreed to)*

*Programme 0723000 - General Administration, Planning and Support Services  
(Development Estimates)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): There is an amendment to this.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Development Estimates, the figure Ksh. 3,200,000,000 be deleted and substituted thereof with the figure Kshs.2,700,000,000.

As I had explained earlier, this is the Kshs.250 million which was drawn from other votes. Sorry Chairlady, I was speaking to (c).

This is on the development vote. In the Estimates we had a figure of Kshs2.1 billion towards the completion of the Parliamentary towers which is across the road next to County Hall. We allocated it another Kshs.1.1 billion, however upon review with PSC, we realised they could complete it with Kshs.2.7 billion. That is why we are reducing the Kshs.500 million. I was told by Commissioner Keynan that the building will be completed in June 2019.

**Hon. Members:** No! December 2018

**Hon. Ichung'wah:** Well, that is a matter which the Commission is well apprised. All we did as the Budget and Appropriations Committee was to appropriate adequate funds to enable them complete the project. Therefore, I urge you to support the amendment so that the project is completed in good time to allow Members occupy it. Indeed, it was a big problem during the consideration of the Budget Estimates. Hon. Members, as you can remember a number of committees used to meet in hotels in town because of lack of adequate meeting rooms. They had to hire rooms at an extra cost.

I beg to move and urge Members to support this amendment.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I cannot see interest in this.

*(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)*

*(Programme 0723000 as amended agreed to)*

*Programme 0723000 - General Administration, Planning and Support Services  
(Recurrent Estimates)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Chairperson, we have an amendment to this.

**Hon. Ichung'wah:** Yes. I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, the figure Ksh. 6,050,000,000 be deleted and substituted thereof with the figure Kshs. 5,900,000,000.

As I had explained earlier this is the share of the Kshs.250 million which relates to our members of staff. We are recovering Kshs.150 million out of this. The first one was Kshs.40 million and the next in the subsequent vote under National Assembly is Kshs.60 million.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Order Members, having listened to him I will propose the Question.

*(Question of the amendment proposed)*

Anyone interested to speak to this?

*(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)*

*(Programme 0723000 as amended agreed to)*

*(Vote 2041 as amended agreed to)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Next Vote!

VOTE 2042 – NATIONAL ASSEMBLY

THAT, a sum not exceeding Kshs. 21,915,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2042 (National Assembly).

**Hon. Nuh:** Hon. Temporary Deputy Chairlady, I support the allocation for the National Assembly but it is lower than what was expected to be given. The Senate has taken a lot of money for no reason, but I support.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Now that Hon. Junet has supported and I see no intervention, let us go on to call the programmes to these Vote.

*Programme 0721000 – National Legislation, Representation and Oversight*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have the Chairperson of the Budget and Appropriations Committee.

Hon. Members, stop engaging the Chair of BAC. There is a time for consultation. We are on Vote 2042. We have an amendment to the programme.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the programme in respect of Recurrent Estimates, the figure of Kshs21,915,000,000 be deleted and substituted thereof with the figure Kshs21,855,000,000.

This relates to the National Assembly. As I had mentioned earlier, it is the contribution on that Kshs250 million. There is a figure of Kshs60 million we are reducing. That is a contribution to the Kshs250 million that I referred to earlier.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I see no interest in this one. Therefore, I put the Question.

*(Programme 0721000 as amended agreed to)*

*(Vote 2042 as amended agreed to)*

#### VOTE 2091 – TEACHERS SERVICE COMMISSION

THAT, a sum not exceeding Kshs. 226,886,753,422 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June, 2019 in respect of Vote 2091 (Teachers Service Commission).

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Before we move to the programmes, there is a Member with a comment. Let us have the Committee Chair.

**Hon. Melly:** Thank you, Hon. Temporary Deputy Chairlady. I just want to comment that the Teachers Service Commission (TSC) in this Budget did not get the allocation for the employment of teachers. I want to be very categorical here in the sense that in the Budget Estimates, the targets were given to recruit 20,000 teachers but the allocation was not indicated in the Budget. I would want to request this House, through the BAC chair, to really ensure that the targets that the ministry had set in the Vote Book are achieved by allocating the required Kshs10 billion for the recruitment of teachers in the 2018/2019 Budget.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Omboko Milemba, you have just one minute.

Hon. Members, please take one minute to comment. If you want to comment, please put your card on intervention. I will note.

**Hon. Milemba:** Thank you, Hon. Temporary Deputy Chairlady. I will be very brief. It is true that the TSC was not given money to employ teachers. We have a new curriculum and we have 100 per cent transition from primary school to secondary school, meaning that we shall have our children in secondary schools not having teachers because we have the 100 per cent transition from primary school to secondary school. Therefore, the Chair of the BAC should, in

future, organise to have money allocated to TSC to employ a minimum of 20,000 teachers like the Chair of the Departmental Committee on Education and Research has recommended.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Member for Funyula. Hon. Members, if you want to speak please put your cards on intervention.

**Hon. (Dr.) Oundo:** Hon. Temporary Deputy Chairlady, thank you. I have been trying to catch your eye the whole afternoon. I just wish to comment that with the chronic teacher shortage in the country, I think we have done a disservice to the children and the teaching fraternity in this country. We have done a disservice to the education sector and I think it is important that the coming supplementary budget we sincerely have to do something. For example, in my own constituency of Funyula, I have a teacher shortage of almost 100 teachers. It is straining performance. It is going to comprise performance. If we are truly interested in helping the child in this country, we must invest in the teachers.

Thank you.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Mohamed Sheikh, Member for Wajir South.

**Hon. Mohamed Mohamud:** Thank you, Hon. Temporary Deputy Chairlady. I am glad you have sighted me now at the far corner here. The TSC budget is too personal to me because I must put on record that TSC has not been kind enough to the children of the North Eastern Province of Kenya simply because of the number of teachers that were taken off there. The funds or the monies we have put in budgets in previous years have not been allocated rightly for those teachers. What is important here is that enormous amount of money now has been allocated there. I disagree with my other colleagues who think that they were given less money. I want to say that they were given more money. I will state the reason for this. There must be equilibrium in the giving and the delivering. There must be equilibrium in the budgets of the giving and the delivering. That means that the amount of money given to the Teachers Service Commission (TSC) is enormous but the service delivery is less. Therefore, I disapprove of this.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have the Member for Narok South.

**Hon. ole Lemein:** Thank you, Hon. Temporary Deputy Chairlady. I rise to support this Vote. I concur with the Chair of the Departmental Committee on Education and Research that perhaps the TSC might not have gotten enough funds for recruitment of teachers. As I support the Chair of Departmental Committee on Education and Research, may be in future, this Vote-Head should be relooked at because some of us who come from arid areas have a serious shortage of teachers. It would be unfair if our children suffer because of inability to employ teachers. I support this Vote and propose that as we move forward, this particular issue of teachers should be relooked at.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Lastly, let us have the Member for Siaya.

**Hon. (Ms.) Ombaka:** Thank you, Hon. Temporary Deputy Chairlady. I support this Vote because education is key to development. Quality education must be put in place. Part of implementing quality education is to employ teachers. Right now, many schools in this country do not have enough teachers. Every other school next door does not have teachers. The allocation of funds for recruitment of teachers is very much supported. I support this Vote because it will improve the number of teachers in schools. Schools will be covered enough and be able to complete their syllabuses.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, you will get an opportunity to speak to the programmes. I will call out the programmes because you are speaking generally. There are different programmes under this and I will give you an opportunity to speak to them.

*Programme 0511000 - General Administration, Planning and Support Services*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Is there an amendment to this? Please move your amendment.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, I beg to move:

THAT, the proposed allocation under the Programme in respect of Recurrent Estimates, the figure Kshs7,009,125,526 be deleted and substituted thereof with the figure Kshs6,809,125,526.

This is a reduction of Kshs200 million. As I said yesterday, we raised Kshs1 billion from the education sector - Kshs800 million which came from the universities and this Kshs200 million from TSC. This does not in any way relate to the hiring of teachers. We have endeavoured to safeguard the budget for hiring teachers. This was an additional allocation that we had given to TSC to enable them to purchase vehicles for supervision of teachers across the country at the sub-county level. Upon discussions with the Chair and the Departmental Committee on Education and Research and with the new policy in Government to lease vehicles instead of outrightly purchasing them, we thought that it was one of the additions that we could take back. We took back Kshs200 million which was designated for purchase of vehicles. This is the money that went to the recruitment of teachers for TVETs.

*(Question of the amendment proposed)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): We must state the programme as it is. Let me get a comment from the Woman Representative for Migori County. Are you ready to speak to this?

**Hon. (Ms.) Ochieng:** Thank you, Hon. Temporary Deputy Chairlady. The case of the TSC and the issue of their administrative work to move around the counties and even check on the quality and the implementation of what the teachers are doing on the ground is something very important to this country. Ideally, I would wish that whatever budget they were allocated remains the way it is. In recent years, we have seen that our results are not very good, especially in the rural counties. Much of it is attributed to the fact that apart from the number of teachers that we have in schools that my colleagues have talked about, the supervisors are not able to move. The supervisors are not able to move in the villages to see what the teachers are doing on the ground. I wish that the reduction was not done so that we give the TSC the total amount that we requested for as the Departmental Committee on Education and Research. That amount was actually way less than what the TSC requires to carry out its mandate to deliver quality learning to our children all over the country.

I oppose the amendment.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Let us have the Member for Kitui South, the Chairlady of the Departmental Committee on Lands. Just use your one minute. Members, confine yourselves to one minute.

*(Hon. (Ms.) Nyamai spoke off the microphone)*

Go to the next microphone.

**Hon. (Ms.) Nyamai:** Thank you very much, Hon. Temporary Deputy Chairlady. Now I can be heard. Any money that is allocated to the TSC - be it for hiring teachers or administration - should not be deducted. Some of us are in constituencies where we face challenges. Like my constituency of Kitui South and - Hon. Temporary Deputy Chairlady, I will speak for you since you cannot speak for yourself - Kibwezi West Constituency ...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): You are even mistaking my constituency. It is Kibwezi East.

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairlady, I am making reference to Kibwezi East and Kitui South constituencies which have the highest number of primary schools. You go to schools where you find only one teacher. You go to schools where the administrator at the sub-county level is not even able to travel for many kilometres. At times, the administrator is only able to travel for 60 or 70 kilometres to see the schools, how the head-teachers are doing and how the pupils in schools are doing. It is a serious matter of concern. It is matter that the Chair of the Departmental Committee on Education and Research needs to be supported in at the Supplementary Budget level so that we can allocate money which relates to the TSC at the administrative level and hiring of teachers.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Members, I know this is a problem for many.

Hon. Members, you are not even on the intervention. I gave a direction on that. How do you expect me to see your name on a list of 21 requests? Hon. Kipyegon Ng'eno is the next one.

**Hon. Kipyegon:** Thank you, Hon. Temporary Deputy Chairlady. I also want to support the sentiments of my colleagues. We need to look at the education sector, especially the Teachers Service Commission. Employment and recruitment of teachers is very fundamental. We have teachers who graduated in 2010 but have not been employed. Why did they go to school? This is something which the Chairperson of the Departmental Committee on Education and Research should sit down and create something that accommodates all these teachers. We lack teachers. Every school in our villages lacks more than 10 teachers. The shortage of teachers is high and yet we have teachers who are trained.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Your one minute is over. Hon. Tonui Kiprotich, Member for Bomet Central.

**Hon. Tonui:** Thank you, Hon. Temporary Deputy Chairlady, for giving me this opportunity to make my comments. I support the amendment of an additional amount to this Vote. However, I want to extend my contribution towards teachers' shortage. Currently, we have a shortage of 100,000 teachers. We have not even captured any figure in this Budget. We do not even have a single cent to recruit teachers. We are planning to recruit teachers through the Supplementary Budget. That is an afterthought. It is unfair. Why do we keep on saying that we have free day secondary and free primary education in this country when we know very well that some of the NG-CDF sponsored schools have the principal only but no teachers? That means that the parents are forced to employ teachers.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Lessonet, contribute for one minute. I know that most Members have interest in this Vote.

**Hon. Lessonet:** Thank you, Hon. Temporary Deputy Chairlady. This issue of teachers is very emotive. I hope that the Chairperson of the Departmental Committee on Education and

Research is taking notes, so that she can even help us to prioritise teachers who are over 40 years old and they have never been recruited. The Chairperson can also help us to identify teachers who are stuck here at the TSC headquarters. The TSC is conducting delocalisation of teachers. We also want to see that delocalisation affect teachers who are stuck at TSC headquarters. We want them to move out to the regions. We also want to see teachers who are stuck at county headquarters, divisional headquarters and sub county headquarters move to other areas.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Sossion, you have been there. What do you have to say about the teachers? Contribute for one minute.

**Hon. Sossion:** Thank you, Hon. Temporary Deputy Chairlady. I rise to support the Chairperson of the Departmental Committee on Education and Research on the proposal to have more teachers. Statistics are very clear that the country has a shortage of 104,000 teachers. The projection by the TSC within the next four years shall be 150,000 teachers. The Government has marshalled 100 per cent transition rate. There has been a huge investment to attract learners to school. There cannot be quality education without employing and recruiting enough teachers in our public schools. The projection of TSC has been approved by the National Treasury which is hiring of at least 22,000 teachers annually with a Budget of Kshs10billion. We have been discussing, moving money and votes across the board. Surely, at this age and time, should we negotiate employment of additional teachers in this country?

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Kimunya is the last one to contribute to this Vote. He was the Minister in charge of the Budget before.

**Hon. Kimunya:** Thank you, Hon. Temporary Deputy Chairlady. I rise to echo the sentiments which are being expressed by the Members of this House. We have a crisis. We are talking about the Big Four Agenda and free day secondary education but parents pay for that education.

*(Hon. Keynan and Hon. Lessonet consulted Hon. Ichung'wah)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Order, the two Members who are on their feet. You are blocking Hon. Kimunya.

**Hon. Kimunya:** Commissioner, you are out of order.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Lessonet, you have just spoken. Allow Hon. Kimunya to contribute. We will set up a chair in future, specifically for the Chairperson of the Budget and Appropriations Committee, so that the consultations can be on one side. Carry on, Hon. Kimunya.

**Hon. Kimunya:** Hon. Temporary Deputy Chairlady, I hope I will get my time which has been taken.

We have a crisis in this country. We are talking of the Big Four Agenda, free day secondary education but yet parents pay for it. We do not have teachers. Education is the biggest enabler to the Big Four Agenda. We have 22,000 teachers who are included within the Estimates but no money was allocated. Whether that was by mistake or design, it is something that needs to be corrected. If we do not have those teachers, then the rest of the Budget will not make sense.

Thank you, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): There is a lot of interest to contribute to this Vote because education is under the mandate of the Members of Parliament.

*(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)*

*(Programme 0511000 as amended agreed to)*

*(Programmes 0509000, 0510000 and 0620000 agreed to)*

*(Vote 2091 as amended agreed to)*

Hon. Members, I want to inform the House that after the next Vote, the other Votes do not have amendments. So, I want to assure you that we will move fast. Next Vote.

#### VOTE 2111 - TUDITOR-GENERAL

THAT, a sum not exceeding Kshs6,168,917,300 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30<sup>th</sup> June 2019, in respect of Vote 2111 (Auditor-General).

Let us go straight to the programme.

#### *Programme 0729000 - Audit Services*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Chairperson, there is an amendment to this programme.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairlady, the amendment relates to Audit Services Programme.

Hon. Members, I beg to move:

THAT, the proposed allocation under the Programme in respect of recurrent estimates, the figure Ksh5,486,687,300 be deleted and substituted thereof with the figure Kshs5,236,687,300.

This is the Recurrent Expenditure of the Office of the Auditor-General. This is the first State Department which appeared before the Budget and Appropriations Committee. We allocated them an additional Kshs1billion which goes towards Kshs450,000,000 for their Development Expenditure to allow them to complete projects in regional offices that they started in Eldoret, Kakamega and Embu. We also allocated them a further Kshs280,000,000 for consultancy for a Public Partnerships Project (PPP) that they are doing for their office in Upper Hill.

Then there was a further Kshs550 million that was to go to capacity building, hire of more staff and taking of consultancy and audit firms to enhance their capacity especially in this era of fighting corruption. Most of the work submitted by the Auditor-General emanates from this House and the Senate. Many of our departmental committees and oversight committees, the Public Investments Committee and Public Accounts Committee, have been asking the Auditor-General for forensic audits. Even this afternoon we heard the Leader of the Majority Party speak about a forensic audit of the mall in Kisumu. Out of these many requests, they had sought more

money towards their recurrent expenditure. We allocated them Kshs550 million, but later because of the huge financing deficit we have, we engaged again and agreed that they could take about Kshs200 million for hiring new staff and Kshs150 million for the outsourced services. Therefore, we reduced that with a figure of Kshs250 million.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Member, in general, is it a reduction or an increase?

*(Question of the amendment proposed)*

I welcome some comments. The father of the House, Hon. Angwenyi Ondieki.

**Hon. Angwenyi:** Thank you, Hon. Temporary Deputy Chairlady. I cannot understand how we can reduce the requirement of the Auditor-General when we have embarked on fighting corruption in the country. I just cannot understand it. We should not have reduced that amount by Kshs250 million. We should have given them even more so that they are able to do their work and bring out the people taking Kenyans' money.

The Auditor-General is an appendage of this Parliament. He assists us...

**Hon. ole Lemein:** On a point of order, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): What is your point of order, Hon. Member for Narok South.

**Hon. ole Lemein:** Hon. Temporary Deputy Chairlady, is it in order for Hon. Agwenyi to mislead the House? Indeed, this is not a reduction of Kshs250 million. It is actually an increase of Kshs750 million.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): That is why the Chair is here to confirm the same. Let me give the chance to the Vice-Chair of the Public Investments Committee. Is it a something out of order or you wanted to make a contribution? Hon. Angwenyi has not finished making his contribution. Hon. Agwenyi, take one minute to finish.

**Hon. Agwenyi:** I was talking on the basis of the record that I have. If they have a secret record, I do not have it.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Chair of Budget and Appropriations Committee, Hon. Agwenyi needs a confirmation to this.

**Hon. Ichung'wah:** We are not allowed to interrupt Hon. Nuru Angwenyi when he is speaking, being the father of the House.

Indeed, in overall terms, we have added the Office of the Auditor-General Kshs750 million. We could have added a billion but we did not have those resources.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Angwenyi is happy with that. Are you not?

**Hon. Angwenyi:** I support.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Hon. Nuru, you have led us very well. Let me give this chance to the Vice-Chair of the Public Investments Committee.

**Hon. Ibrahim Ahmed:** Hon. Temporary Deputy Chairlady, it happens that the Auditor-General, our prosecutors both in Public Investments Committee and Public Accounts Committee, I expected you to be... As you are chairing, you may not be the prosecutor, but give to those who can prosecute the case on their behalf.

As we are all aware, this Office is doing a wonderful job. It is created under Article 229 of the Constitution. Indeed, I can describe it as meticulous, effective and innovative. All the fraud that happens in the country is reported by the Auditor-General's Office.

I thank the Budget and Appropriations Committee, for the first time for allocating the man...

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): Your time is over. Let us have the last one, Hon. Beatrice Nyaga.

**Hon. (Ms.) B.N. Nyaga:** Thank you, Hon. Temporary Deputy Chairlady. I support and thank the Budget and Appropriations Committee for giving the Auditor-General enough money that they have always sought to do an enormous job. Thank you.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Mbalu): I know where the Vice-Chair of Public Investments Committee sits and he knows the importance of the Auditor-General as I am also aware. Allow me to put the Question to that 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)*

*(Programme 0729000 as amended agreed to)*

*(Vote 2111 as amended agreed to)*

VOTE 1192 – TTATE DEPARTMENT FOR MINING

THAT, a sum not exceeding Kshs1,612,684,125 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1192 (State Department for Mining).

*(Question proposed)*

*[The Temporary Deputy Chairlady  
(Hon. (Ms.) Mbalu) left the Chair]*

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

*(Programmes 1007000, 1008000 and 1009000 agreed to)*

*(Vote 1192 agreed to)*

VOTE 1193 – TTATE DEPARTMENT FOR PETROLEUM

THAT, a sum not exceeding Kshs5,030,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1193 (State Department for Petroleum).

*(Question proposed)*

**Hon. Nakara:** Thank you, Hon. Temporary Deputy Chairman. On the issue of distribution of gas cylinders, we want the Government to reduce the prices of cylinders and take them to all parts of the country. Gas cylinders are currently only distributed within Nairobi, Nakuru and Eldoret. We need the cylinders in Turkana, West Pokot and other pastoralist areas to help our people reduce the use of fuel wood and charcoal.

Thank you.

**Hon. (Ms.) Nyamai:** Hon. Temporary Deputy Chairman, I would like to make a comment about petroleum with regard to Liquefied Petroleum Gas (LPG), particularly the local institutions. It is important for the Government and the Committee in particular to make sure that they give a lot of support to local companies so that as they compete with multinational corporations in the distribution of LPG, they are not thrown out of business. Secondly, the Government should ensure that its LPG does not only benefit people in urban areas but also people in our rural constituencies, including those in the North Eastern and eastern parts of this country.

**The Temporary Deputy Chairman (Hon. Mariru):** One more Member. Hon. Lessonet.

**Hon. Lessonet:** Thank you, Hon. Temporary Deputy Chairman. To respond to what Members have said, there is enhanced allocation in the Report adopted by the House from the initial proposal by National Treasury of Kshs3.5 billion by Kshs1.5 billion to this State Department. That makes a total of Kshs5.3 billion. That amount is adequate to distribute gas, especially to poor families. I seek the support of Members in prosecuting this Vote.

Thank you.

*(Programme 0215000 agreed to)*

*(Vote 1193 agreed to)*

VOTE 1221 – T INISTRY OF EAST AFRICAN COMMUNITY  
AND NORTHERN CORRIDOR DEVELOPMENT

THAT, a sum not exceeding Kshs1,091,757,114 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June, 2019 in respect of Vote 1221 (Ministry of East African Community and Northern Corridor Development).

*(Question proposed)*

*(Programme 0305000 agreed to)*

*(Vote 1221 agreed to)*

VOTE 1261 – THE JUDICIARY

THAT, a sum not exceeding Kshs14,804,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1261 (The Judiciary).

*(Question proposed)*

**Hon. Nakara:** Hon. Temporary Deputy Chairman, I just want to bring to the attention of the Departmental Committee on Justice and Legal Affairs that the High Court in Turkana has not been completed for six years now. So, we are requesting for dispensation of justice for the Turkana people. That High Court must be completed within the Budget that we have proposed today.

Thank you.

**Hon. John Wambugu:** Thank you, Hon. Temporary Deputy Chairman. I support the amount allocated but, going forward, I will beseech the Budget and Appropriations Committee and this House to progressively increase the amount allocated to the Judiciary. As an hon. Member just said, we have some counties in this country that do not have High Court stations and some constituencies that do not have Chief Magistrates' courts. We all know that the Judiciary is core in development of any country which observes the rule of law. I support but going forward, we should at least increase this allocation to the Judiciary.

**The Temporary Deputy Chairman** (Hon. Mariru): Shall we have Hon. Oundo?

**Hon. (Dr.) Oundo:** Thank you, Hon. Temporary Deputy Chairman, for this opportunity. As much as I appreciate the work of the Judiciary, we need to continuously pump in a little more money to fight the rampant corruption and crimes in the country.

Secondly, there was a proposed law court in Funyula Constituency. The groundbreaking was conducted by one of the Judges of the Supreme Court, Dr. Smokin Wanjala. I believe that should have been around 2010 but nothing has been done up to now. We hope we will get the long awaited court this financial year so that we reduce the traveling distance that we have to cover, almost 30 kilometres to go to the county headquarters to seek justice.

Thank you.

**The Temporary Deputy Chairman** (Hon. Mariru): Yes, we must give a chance to the Chair of the Departmental Committee on Justice and Legal Affairs, Hon. Cheptumo.

**Hon. Cheptumo:** Thank you, Hon. Temporary Deputy Chairman.

Indeed, the resources allocated to the Judiciary are not sufficient. But, as a matter of policy, even in our Report to the BAC, we are not going to undertake new projects for the courts. The policy now is that they are going to complete construction of the existing courts, including the one in Turkana. I recall when my Committee went to Turkana for public hearings, the Governor shared with it the challenges they have in Turkana and, indeed, other parts of our country.

We have already agreed with the Judiciary that they should deal with the existing courts before they commence new courts. The same goes for my colleague here who is from western Kenya. It will be under the same category of the courts. So, we want to assure the Kenyan people that this will be undertaken before we start new projects.

**The Temporary Deputy Chairman** (Hon. Mariru): We shall have two more Members. Hon. Makali.

**Hon. Mulu:** Even as I support allocation of resources to this department or the Judiciary, on the issue of the courts, we need to supplement that with mobile courts. Let the Judiciary also think about use of mobile courts so that where there are no courts, we can move there and people have access to justice.

Thank you.

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Kioni.

**Hon. Kioni:** Thank you, Hon. Temporary Deputy Chairman.

I just want to say that I support this Vote and also ask that the Judiciary should consider setting up a High Court in Nyahururu in the planning of things in the coming days. It will be beneficial to both your County of Laikipia and Nyandarua. All that area is really wanting in terms of access to justice and the High Court.

*(Hon. Angwenyi stood in his place)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Angwenyi, you know you put the Temporary Deputy Chairman in an awkward situation when you stand and insist you must speak. I do not know why I feel you will speak for 30 seconds only. Please do.

**Hon. Angwenyi:** Thank you, Hon. Temporary Deputy Speaker.

We should really consider allocating more resources to the Judiciary. I saw in the media recently that they have now cancelled all their medical scheme. If those people fall sick, will we have justice in the courts if they are not there?

Secondly, I would like to suggest that next time we give them more resources, they should seek to establish a court at Marani, the cradle of Kisii traditional justice.

**The Temporary Deputy Chairman** (Hon. Mariru): Programmes.

*(Programme 0610000 agreed to)*

*(Vote 1261 agreed to)*

#### VOTE 1271 – ETHICS AND ANTI - CORRUPTION COMMISSION

THAT, a sum not exceeding Kshs2,926,540,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1271 (Ethics and Anti-Corruption Commission).

*(Question proposed)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Shaban.

**Hon. (Dr.) Shaban:** Thank you, Hon. Temporary Deputy Chairman.

Concerning the Ethics and Anti-Corruption Commission (EACC) in this country, most of the times, even when they have really wanted to do some work, they have had hiccups because of the meagre funds that they have been given in budgetary allocations. However, when they are given funds, they should be able to work very hard because corruption has become an issue in this country. We would like to see the funds being utilised properly.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. Shall we give it one more shot? Yes, Hon. Makali.

**Hon. Mulu:** Even as I support allocation of money to this department, you will realise that Kshs2.9 billion is a lot of money. I got concerned when, during lunch hour, as I was watching news I saw the Director of Public Prosecutions (DPP) confirming to Kenyans that this department is falling short of expectations in terms of investigations. As we move forward, even as we approve these resources, it is important that this department does their work properly otherwise, they are going to be a very likely candidate for dissolution by this House.

Thank you.

**The Temporary Deputy Chairman** (Hon. Mariru): Although I had said there will be two more persons, I can tell there is a lot of interest. It is obviously because of what is happening in the country at present. If the Members speak the way that Member has spoken, one minute a person, we will be able to pick one or two. Hon. Lessonet.

**Hon. Lessonet:** It is real that the EACC needs to pull up their socks. They need to do more; they need to be more creative and do better in assisting this country fight corruption. This is a warning to them that, just like Hon. Makali has said, if they do not do better this might be the last budget they are seeing.

I thank you.

**The Temporary Deputy Chairman** (Hon. Mariru): Three Hon. Members here are looking at me. Before Hon. Kioni, let us give Hon. Nyaga, for us to be balanced.

**Hon. (Ms.) B.N. Nyaga:** Thank you, Hon. Temporary Deputy Chairman for giving me the opportunity. As I support this Vote, it is very unfortunate that Kenyans are making noise about the EACC. They are not doing their best. We need to tell them that they should wake up and be vibrant. They should be seen to be fighting corruption like other institutions. Otherwise, I support.

**The Temporary Deputy Chairman** (Hon. Mariru): Before I come back this way, let me give a chance to Hon. Mbui. Obviously, he takes precedence.

**Hon. Mbui:** Thank you, Hon. Temporary Deputy Chairman. I also wanted to support this money to the EACC. We just heard that Zambian MPs are in Kenya to learn how to fight corruption in their country. Maybe there is something good they are doing here that we do not know about. Let us support them.

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Kioni, should we not put the Question? You are the last one now. I know there are issues. Please proceed.

**Hon. Kioni:** As you consider putting the Question, I support this. Let us remember that this is a commission that we put in the Constitution. While we should demand more from them, we should also desist from issuing threats from here. In so doing, we do not allow them to get morale. I hear and agree with Members that we need to see more from the EACC. I support them. We need to help them improve instead of threatening them with dissolution. It is not useful for this country.

**The Temporary Deputy Chairman** (Hon. Mariru): Programmes.

*(Programme 0611000 agreed to)*

*(Vote 1271 agreed to)*

VOTE 1281 – NATIONAL INTELLIGENCE SERVICE

THAT, a sum not exceeding Kshs31,211,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1281 (National Intelligence Service).

**Hon. Angwenyi:** Hon. Temporary Deputy Chairman, NIS is the security insurance of this country. I support the amount of money they have been given because I know they will use it well. We have been peaceful in this country courtesy of this department. They have been doing a good job. Let us encourage them and if they need more money, let them come to us. We will give it to them. I support.

**Hon. Nakara:** Hon. Temporary Deputy Chairman, we want to appreciate the work done by the NIS. Since the new Director-General took over, most of the cases that we used to hear of have now reduced. So, we want to encourage such agencies to do a good job. I support.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. Hon. Kipkosgei has not spoken. I am sure he has been queuing.

**Hon. Murgor:** Thank you, Hon. Temporary Deputy Chairman for giving me this chance to contribute. I also support the allocation of these funds to the NIS. It plays a critical role in our country. I want to challenge them to pull up their socks.

*(Programme 0804000 agreed to)*

*(Vote 1281 agreed to)*

#### VOTE 1291 – OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS

THAT a sum not exceeding Kshs2,912,276,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1291 (Office of the Director of Public Prosecutions).

**Hon. Kiai:** Hon. Temporary Deputy Chairman, I support simply because the Office of the Director of Public Prosecutions forms the backbone of criminal law in this country. We need to fund it. Indeed, the funds we are allocating it are insufficient. I support that they be given this amount of money.

**Hon. Tongi:** Hon. Temporary Deputy Chairman, I support. I like the spirit with which Members are passing these allocations. It makes a lot of sense for us to support this Budget considering the challenges we are going through as a country. Even though the money we have allocated them is not enough, we know the principle about money: it is never enough. You have to make do with what you have. I am sure that under the circumstances, the amount of money we have allocated them looks reasonable. In future, I would urge that we give them a little more. Just like the NIS, we need to give the DPP more money. It is all because of the work they are doing. If you look at the crime rate in this country presently, it has soared.

**Hon. (Dr.) Shaban:** Hon. Temporary Deputy Chairman, considering the work the DPP is doing and also the teething problems that they encountered, it is clear that they were not given enough funds previously to employ enough prosecutors. I believe that whatever they have been given now... We have seen that they have started working very seriously. However, they will need to employ more people. I wish they would have given a little bit more, but for the time



being they need to utilise the funds we have given them properly so that they can be in a position to prosecute cases. We are beginning to see cases which are watertight. Kenyans are now taking their responsibilities seriously because the DPP is working hard.

**Hon. (Ms.) Obara:** Thank you, Hon. Temporary Deputy Chairman. I also support. Just as my colleagues have said, this is one area that we have seen its effectiveness in the country. If anything, I would have wished that the DPP is strengthened by being given more money. I believe that can be done in the Supplementary Budget.

**Hon. Cheptumo:** Hon. Temporary Deputy Chairman, I want to thank Members for supporting this allocation. I also want to thank the BAC. Initially, the amount allocated to this agency was minimal. When we appeared before the BAC, it added the DPP another Kshs500 million. We have a new DPP and he has the desire to improve and build capacity for this particular institution. I agree with Members that in future we need to add more resources to this department so that the fight against corruption can be strengthened. As a House, we are going to play our role in allocating this agency more resources. We could do that in the Supplementary Budget so that the agency works more effectively.

*(Programme 0612000 agreed to)*

*(Vote 1291 agreed to)*

#### VOTE 1311 - OFFICE OF THE REGISTRAR OF POLITICAL PARTIES

THAT, a sum not exceeding Kshs. 822,232,095 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1311 (Office of the Registrar of Political Parties).

*(Question proposed)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Osotsi.

**Hon. Osotsi:** Thank you, Hon. Temporary Deputy Chairman. This particular allocation is not in compliance with the Political Parties Act which says that allocation to the Political Parties Fund is supposed to be 0.3 per cent of the revenue collected and as may be provided by Parliament. This figure here is far much below the figure that is supposed to be allocated. If you compute 0.3 per cent of the revenue it is supposed to come to Kshs2.7 billion.

This issue has been taken to court by one of the political parties and a ruling was made that proper allocation be made. Subsequently, Hon. Anthony Oluoch...

**The Temporary Deputy Chairman** (Hon. Mariru): Shall we give him 30 seconds to finish that statement.

**Hon. Osotsi:** Subsequently, Hon. Anthony Oluoch proposed an amendment so that the allocation is compliant with the law and the Committee declined to approve it. He wrote to the Speaker seeking a statement and the Speaker has this afternoon approved a statement which will be given tomorrow afternoon.

This Parliament must set a good precedent to other implementation agencies. We cannot fail to implement a law which we pass in this House. So, I am asking that this Parliament relooks

at this matter so that appropriate allocation as provided in law is allocated to the Political Parties Fund.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. I think your point is made. Certainly, the Chairman of BAC will also have opportunity to say something. Hon. Washiali, I will certainly give you an opportunity after Hon. Kioni.

**Hon. Kioni:** Thank you, Hon. Temporary Deputy Chairman. Even as we agree that this Kshs800 million is far below what is provided for by the Constitution, I support this but it is also good to go on record to say that we have a Registrar who is acting for the longest time ever and who has reduced this agency to kind of an undertaker. It was created to ensure that we grow political parties, not shrinking them, not kill them. I do not think we are achieving what we intended to achieve by providing for these funds and also providing for these offices in the Constitution.

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Washiali.

**Hon. Washiali:** Thank you, Hon. Temporary Deputy Chairman, for the opportunity. I want to support this budget of Kshs822 million. All votes have suffered. This is not the only vote that has suffered reduced budgeting. Therefore, as Parliament we just need to support this.

Commenting on what Hon. Osotsi has said, if the Registrar of Political Parties was to share this money among the political parties then I do not think my brother stands a chance of getting anything. If it was to go by the elections of October 26, which our brother resisted, they would not qualify. It would all go to Jubilee Party because they are the ones who participated.

**Hon. Osotsi:** On a point of order, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman** (Hon. Mariru): Order. What is it, Hon. Osotsi?

**Hon. Osotsi:** Hon. Temporary Deputy Chairman, I am not raising this concern because I want to benefit or because my political party has to benefit. I am raising this because this is a House of order; this House passes laws, which it must respect. Also, the court made a ruling on this matter, which we must respect as a House.

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Osotsi, your point is clear. Hon. Washiali.

**Hon. Washiali:** I was just reminding him that, and we want the RPP to share this money out fairly, we are aware that we have some parties that resisted participating in the elections of 26<sup>th</sup> October. Therefore, this is money that will come to Jubilee. We want to expect that the money will come to us. This is what you need to approve.

**Hon. (Ms.) Odhiambo-Mabona:** On a point of order, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman** (Hon. Mariru): Yes, Member for Suba North, what is your point of order?

**Hon. (Ms.) Odhiambo-Mabona:** Hon. Temporary Deputy Chairman, is the Member in order to mislead the House that the sharing of this money is based on resistance when it is actually based on the law? If it is based on amorphous things like resistance, then I want to tell my brother that now there is a new one called the handshake which supersedes what he is saying. In the spirit of the handshake and the law, this amount needs to be provided for political parties. Whether or not we benefit as ODM does not matter. The law is the law.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well, Member for Suba North. I think Hon. Washiali, from the laughter, is clearly well guided. We must move on.

**Hon. Lessonet:** Thank you, Hon. Temporary Deputy Chairman. I appreciate the contributions by Members, including those who own political parties. I have seen Hon. Osotsi

make very huge requests for funding. What we can do at this stage, Members, is to support this allocation. You cannot reject it. If you reject it, there is absolutely no money available. At least now there is some money. So, where we are now let us support the amount allocated. We appreciate as BAC that we are in arrears.

**Hon. Kioni:** *(Off record)*.

**Hon. Lessonet:** Hon. Kioni, I know you used to own a political party. We are in arrears in giving...

**The Temporary Deputy Chairman** (Hon. Mariru): I think your point is absolutely made.

*(Programme 0614000 agreed to)*

*(Vote 1311 agreed to)*

#### VOTE 1321 - WITNESS PROTECTION AGENCY

THAT, a sum not exceeding Kshs483,086,280 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 1321 (Witness Protection Agency).

**Hon. Cheptumo:** On a point of order, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman** (Hon. Mariru): What is the point of order, Hon. Cheptumo?

**Hon. Cheptumo:** Hon. Temporary Deputy Chairman, I just wanted my colleagues to understand some very important aspects on this Vote.

**The Temporary Deputy Chairman** (Hon. Mariru): Which vote?

**Hon. Cheptumo:** The one we have just passed.

**The Temporary Deputy Chairman** (Hon. Mariru): Oder, Hon. Cheptumo. It is gone. I am afraid it is gone. We have to go to the next one. So that we make progress, if you move the way we are giving one minute, we will get one or two Members then we make progress.

*(Question proposed)*

Order Hon. Makali, now that you are on your feet, proceed.

**Hon. Mulu:** I will be very brief. I support this allocation but with what is happening in the country on the issue of corruption, we are going to get more whistle blowers and we need to allocate more money to this institution so that all whistle blowers are properly protected.

Thank you.

**The Temporary Deputy Chairman** (Hon. Mariru): Let us have Hon. Gichimu.

**Hon. Githinji:** I also support this allocation. It is crucial at this time that the country is in the spirit of fighting corruption and more so in increasing the capacity for this agency. So, I support and the agency should also be spread to the county level.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. Hon. Tongi, why are you already on your feet?

**Hon. Tongi:** Hon. Temporary Deputy Chair, I thought you were giving me the chance.

**The Temporary Deputy Chairman** (Hon. Mariru): It is wrong to anticipate a chance but anyway, that is a back door of getting opportunity to speak: You have the Floor.

**Hon. Tongi:** I support the Witness Protection Agency. All over the world, countries that have succeeded in containing corruption have had this in place and they have given it the support that it needs. As a country, since we want to enhance corruption free zones in Kenya, we need to support this agency and give it resources so that it can cascade its services down to the constituency and county levels. It seems like corruption has now been devolved to the counties and we must do something in good time so that we stop it at the nib.

I support.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well.

*(Programme 0615000 agreed to)*

*(Vote 1321 agreed to)*

#### VOTE 2011 - TENYA NATIONAL COMMISSION ON HUMAN RIGHTS

THAT, a sum not exceeding Kshs395,443,114 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2011 (Kenya National Commission on Human Rights).

**The Temporary Deputy Chairman** (Hon. Mariru): Very well, I can see two Members want to speak to it but let me propose the Question on the programme.

*(Question proposed)*

**The Temporary Deputy Chairman** (Hon. Mariru): Member for Suba.

**Hon. (Ms.) Odhiambo-Mabona:** Thank you. We are two Members from Suba. So, this one is Suba North. I support. With the increasing number of cases of sexual and gender-based violence it is important that we empower the Commission.

*(Programme 0616000 agreed to)*

*(Vote 2011 agreed to)*

#### VOTE 2021 - NATIONAL LAND COMMISSION

THAT, a sum not exceeding Kshs1,260,451,513 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2021 (National Land Commission).

*(Question proposed)*

**Hon. Kioni:** Thank you, Hon. Temporary Deputy Chairman. I support this allocation but also state that this is one of the commissions whose expectations have fallen. Its performance has fallen far below our expectations.

**The Temporary Deputy Chairman (Hon. Mariru):** Hon. Makali.

**Hon. Mulu:** Thank you, Hon. Temporary Deputy Chairman. I also support and join my colleague in saying that even though we are allocating a billion plus to this commission, we normally say: Where there is smoke there is fire. Kenyans are complaining that they are seeing some smoke in this commission and they need to be serious with their work.

**The Temporary Deputy Chairman (Hon. Mariru):** Yes, Hon. Angwenyi.

**Hon. Angwenyi:** Thank you, Hon. Temporary Deputy Chairman. The work of this Commission has fallen below par. However, we should encourage the Commission and give them guidelines. Maybe the Cabinet Secretary for that Ministry should give a guideline as to when they will issue titles to various counties in this country specially the Coast and in the northern parts so that people know whether the land belongs to them or not. This also goes for our institutions of learning.

**Hon. ole Lemein:** Thank you, Hon. Temporary Deputy Chairman, for giving me this opportunity. In as much as I support this Vote, I join my colleagues in stating that this Commission ought to pull up their socks. As I speak now, there are some regions where the Standard Gauge Railway (SGR) has reached and people are complaining that matters compensation is wanting. So, in as much as we are allocating these funds to the Commission, they need to do a thorough job, otherwise, it is going to be a disadvantage to the people of Kenya.

**The Temporary Deputy Chairman (Hon. Mariru):** I will give the Chair of Departmental Committee on Lands who has registered to speak as the last one. Let us have Hon. Opiyo Wandayi.

**Hon. Wandayi.** Thank you, Hon. Temporary Deputy Chairman. I wish to join my colleagues in expressing a lot of disappointment with the workings of this Commission. Currently, I am the Chair of Public Accounts Committee. They have been unable to account for the monies they were given during the Financial Years 2014/15 and 2015/16. In fact, my Committee has directed a special audit to be undertaken with regard to the land compensation they have undertaken in the last two years or so.

I think this Commission requires re-engineering even as we give it money. I do not know whether it is the issue of land which is a problem or the people in that Commission. Something needs to give way and we shall reluctantly give them the money. I think this House owes it upon itself to do some soul searching and perhaps take some steps or measures which raise the wrongs which are very inherent in this Commission.

Reduction might not help. We may need to do a patch of the leadership in this Commission and perhaps look at the law. Hon. Cheptumo is here. We need to look at the law which creates this Commission. I know it is the Constitution. I heard Hon. Angwenyi talking about the Ministry which supervises it. It does not have a Ministry. This is an independent constitutional commission with all the powers. It is only answerable to the people of Kenya through this Parliament. So, this Parliament needs to do something other than just giving out money because this is a function it executes.

**The Temporary Deputy Chairman (Hon. Mariru):** Lastly, the Chair, Departmental Committee on Lands, Hon. Rachel Nyamai.

**Hon. (Ms.) Nyamai:** Thank you, Hon. Temporary Deputy Chairman. The reason why I have sat through and supported other departments and ministries is because I would like this Commission to be given money. The disappointment that is being raised in this House has also been raised by the Committee that oversees this Commission.

Let us look at it as a Commission and not the individuals who are there. We need to give it a chance. This is the institution that is supposed to look at historical land injustices and matters of compensation of land in this country. I would like to urge the House to give them the budget as it is. We have made it clear that we are not going to have two digitisation systems. There shall be only one digitisation project which will be implemented by the Ministry.

We felt that this was loophole for misuse of funds. I take note of the concerns by PAC that the Commission is unable to account for funds they were given before. This time we are overseeing the institution and we are going to do our best. For the disappointments that have been raised in the House, I would like it to go on record that the same have also been raised by the Departmental Committee on Lands.

Thank you, Hon. Temporary Deputy Chairman.

*(Programme 0113000 agreed to)*

*(Vote 2021 agreed to)*

#### VOTE 2031 - INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

THAT, a sum not exceeding Kshs. 4,233,624,477 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2031 (Independent Electoral and Boundaries Commission).

*(Question proposed)*

Let us move quickly, the Members shall have one minute each so that we can make progress. Hon. Washiali.

**Hon. Washiali:** Thank you, Hon. Temporary Deputy Chairman. I want to support this Vote but quickly also point out that the Independent Electoral and Boundaries Commission (IEBC) is currently not properly constituted. I would like to request the Departmental Committee on Justice and Legal Affairs to make sure that this Commission is well constituted before they go to do boundary delimitation so that they can proceed with the work which Kenyans need to see.

**Hon. Tuitoek:** Thank you, Hon. Temporary Deputy Chairman for this opportunity. I would like to support this Vote and point out that IEBC is in shambles. I urge this House to think on how best we can come up with the commissioners. Over the years we have had trouble. Every time we try to come up with good commissioners they never finish their term. This could be in the functions or the way we appoint these people because politics always come into the picture. Therefore, this House needs to think on how to come up with a truly independent commission which can finish its term.

Secondly, as we go towards delimitation of boundaries next year and population census we should make sure this is fair. We should not get a case like the one of North Eastern Province of statistical problems.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. Point made. Hon. Makali, one minute please.

**Hon. Mulu:** Hon. Temporary Deputy Chairman, I also support this allocation and agree with my colleagues that Hon. Cheptumo and his Committee need to save this country. Actually, if they do not save this country we are likely to get into problems and more so, on the issue of electoral boundaries delimitation. This is critical and we need to start in time so that we are not late and fail to meet the timelines.

Thank you, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman** (Hon. Mariru): Lastly, let me give the Chair of the Departmental Committee on Justice and Legal Affairs opportunity.

**Hon. Cheptumo:** Thank you, Hon. Temporary Deputy Chairman. Indeed, what Members are saying is true, that as the Commission stands now there is a problem of quorum. The challenge is that we do not have a legal framework to use so that we can bring additional commissioners on board noting that three of them resigned recently.

I want to assure Members that my Committee is currently looking into an appropriate legal framework which will facilitate the filling of the vacant positions of commissioners who resigned. Indeed, it is true that the issue of delimitation of boundaries is coming up very soon in the next one year or so. We have no option but to strengthen this Commission and ensure they are able to undertake this. We also have by-elections coming up in Baringo South and other areas. We are taking this issue seriously. I want to assure my colleagues that we are equal to the task and are going to ensure we have a legal framework in place.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well we must proceed with the programmes.

*(Programmes 0617000 and 0618000 agreed to)*

*(Vote 2031 agreed to)*

#### VOTE 2051 - JUDICIAL SERVICE COMMISSION

THAT, a sum not exceeding Kshs. 364,000,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2051 (Judicial Service Commission).

*(Question proposed)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Members, let us get to the programmes.

*(Programme 0619000 agreed to)*

*(Vote 2051 agreed to)*

#### VOTE 2061 – THE COMMISSION ON REVENUE ALLOCATION

THAT, a sum not exceeding Kshs. 434,556,341 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2061 (The Commission on Revenue Allocation).

*(Question proposed)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Mboni Mwalika, Member for Kitui Rural.

**Hon. Mboni:** Thank you very much, Hon. Temporary Deputy Chairman. I support the allocation to the Commission but I would like it to move very fast and complete the revenue allocation formula so that the counties can get their rightful shares of the resources.

Thank you very much.

**Hon. Mulu:** Thank you, Hon. Temporary Deputy Chairman. I also support this allocation. What I want to say is that even as they think about the third generation formula, let them also focus more on finalisation of the marginalisation policy because that is the policy which is going to inform the next phase of resource allocation.

*(Programme 0724000 agreed to)*

*(Vote 2061 agreed to)*

#### VOTE 2071 – TUBLIC SERVICE COMMISSION

THAT, a sum not exceeding Kshs. 1,219,510,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2071 (Public Service Commission).

*(Question proposed)*

*(Programmes 0725000, 0726000 and 0727000 agreed to)*

*(Vote 2071 agreed to)*

#### VOTE 2081 – SALARIES AND REMUNERATION COMMISSION

THAT, a sum not exceeding Kshs. 564,170,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2081 (Salaries and Remuneration Commission).

*(Question proposed)*



**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Makali, please be brief.

**Hon. Mulu:** Hon. Temporary Deputy Chairman, some of these things go on record and it is important that we say them. This Commission is getting new commissioners and the only thing I want to encourage the new commissioners to do is to look at their terms of reference very clearly and make sure that they do their work comprehensively rather than just focussing on a few items like Parliament and other institutions. They have the wider mandate of managing the public wage.

*(Programme 0728000 agreed to)*

*(Vote 2081 agreed to)*

#### VOTE 2101 – NATIONAL POLICE SERVICE COMMISSION

THAT, a sum not exceeding Kshs. 630,556,818 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2101 (National Police Service Commission).

*(Question proposed)*

**The Temporary Deputy Chairman** (Hon. Mariru): Yes, Hon. Opiyo.

**Hon. Wandayi:** Hon. Temporary Deputy Chairman, even as we support this Commission to get this money, it must be reminded of its constitutional mandate, more so when it comes to matters of the recruitment, promotions and indeed disciplinary actions within the national police service. The National Police Service Commission under the current Chairman, Mr. Kavuludi, has over the years progressively ceded its mandate to third parties and entities against the letter and spirit of the Constitution. This has happened to the detriment of those junior police officers who look upon this Commission for protection.

This Commission was created to serve as a bulwark against the encroachment by the Executive and other authorities within the workings of the National Police Service (NPS). Currently, the junior officers within the NPS are living under deplorable conditions. They are undergoing serious problems when it comes to career progression. This is something that is within the mandate of this Commission.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well, Hon. Wandayi. Your point is made.

*(Programme 0620000 agreed to)*

*(Vote 2101 agreed to)*

#### VOTE 2121 – CONTROLLER OF BUDGET

THAT, a sum not exceeding Kshs618,470,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure

(Recurrent & Development) during the year ending 30<sup>th</sup> June 2019, in respect of Vote 2121 (Controller of Budget).

*(Question proposed)*

*(Programme 0730000 agreed to)*

*(Hon. Kanini Kega consulted loudly)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Kanini Kega, you seem to have engaged that whole area until when I put the Question they are not keen.

*(Vote 2121 agreed to)*

VOTE 2131 – THE COMMISSION ON ADMINISTRATIVE JUSTICE

THAT, a sum not exceeding Kshs499,389,200 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019, in respect of Vote 2131 (The Commission on Administrative Justice).

*(Question proposed)*

*(Programme 0731000 agreed to)*

*(Vote 2131 agreed to)*

VOTE 2141- NATIONAL GENDER AND EQUALITY COMMISSION

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Members, I know that the energies are going down but we are almost getting there.

THAT, a sum not exceeding Kshs374,965,388 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent and Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2141 (National Gender and Equality Commission).

*(Question proposed)*

It seems that we do not have interest on that Vote. Register your interest to contribute. Hon. Member, you have to put your card and register interest to contribute. Hon. Wangwe.

**Hon. Wangwe:** Thank you, Hon. Temporary Deputy Chairman. I want to support the Vote in favour of National Gender and Equality Commission. However, there is a suggestion which I want to air. Very little has been achieved with respect to gender development. I want to emphasise that we need to see improved contribution in policy and regulations, so that we have

gender in terms of both women and men. There are men who are molested but we do not see any reaction. Instead, we look at gender as being women only. Let us also look at the boy-child, so that the regulation on both sides can come to a conclusion.

Thank you, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Wakhungu. The Chair does not know that name.

**Hon. Wakhungu:** Hon. Temporary Deputy Chairman, I want to thank you. The National Gender and Equality Commission is very critical. I hope they are listening. They focus so much on gender activism which is unfortunate. The Commission is supposed to look at the issues of gender and equality. We have not seen any aggressiveness when it comes to the boy-child.

**Hon. Angwenyi:** Kiambu County.

**Hon. Wakhungu:** A Member has mentioned Kiambu County. It is not only in Kiambu County but also in Trans Nzoia County where I come from. Boys are suffering. They have problems. As they focus on gender, they should also look at equality. We must have good programmes. We need to be getting reports from commissions. They must bring their reports in this House. Since the time I came here, I have not seen these reports being tabled. We need to debate them and see that there is value for money.

I thank you.

**Hon. Members:** Put the Question.

**The Temporary Deputy Chairman** (Hon. Mariru): We will put the Question but we do not need to block a few Members. Let them have an opportunity to contribute. Hon. Cecily Mbarire.

**Hon. Mbarire:** Thank you, Hon. Temporary Deputy Chairman. I hear what Hon. Wamalwa is saying but I want to challenge the men in this House. The silence of Hon. Members from the male gender in this House is what causes the problem we have with the boy-child. The reason why the girl-child is empowered and will continue to be that way is because women make enough noise. You are quiet and you never mention it. It is true.

*(Loud consultations)*

I am not afraid to repeat that. We want to see more activism for the boy-child from Hon. Wamalwa, so that people can remember that there is a boy-child who needs to be empowered. As long as you remain silent and behave as if *mlifika*, you are in trouble.

*(Laughter)*

**The Temporary Deputy Chairman** (Hon. Mariru): Hon. Mutai Kiplangat, you look agitated. What is it?

**Hon. Mutai:** Hon. Temporary Deputy Chairman, I want to say that men have been boxed to a corner by the society.

*(Loud consultations)*

Can you allow me to finish? When you stand and talk about gender or men, you are bashed. You can see the same voices coming out now. They are the same voices that want to shut us up. We

have been made to believe that there is only one cause in this country: the female cause. We are now saying what the...

**Hon. (Ms.) Odhiambo-Mabona:** On a point of order, Hon. Temporary Deputy Chairman.

**The Temporary Deputy Chairman (Hon. Mariru):** What is your point of order, Hon. Millie Odhiambo?

**Hon. (Ms.) Odhiambo-Mabona:** Thank you, Hon. Temporary Deputy Chairman. Is hon. Mutai in order to imply that the male Members of Parliament in this House are intimidated by the female Members? If they are, why do they not leave their positions to women in their constituencies to take over the seats so that we can work appropriately?

**Hon. Mutai:** Hon. Temporary Deputy Chairman, Hon. Millie is trying to humiliate the men. She is...

**The Temporary Deputy Chairman (Hon. Mariru):** Order, Hon. Mutai. We are dealing with a very important vote on National Gender and Equality Commission. I can tell the excitement on this area. That is why I will give a chance to one or two Members. Hon. Rindikiri Murwithania.

**Hon. Rindikiri:** Thank you, Hon. Temporary Deputy Chairman. This is a very sensitive matter. Whether our male or female Members like it or not, we have all focused for a long time on the girl-child. The mothers of the boys have failed not the men because the cry for revelation is now coming to an end. As men we are being told to take our positions. Therefore, we need some of these funds equally utilised for the girl-child and for the boy-child. Until that is done, we will always... We do not like fighting women and we have never fought women. Where I come from we do not fight women. We need equality.

**The Temporary Deputy Chairman (Hon. Mariru):** Order, Hon. Murwithania. What is it Chair of the Budget and Appropriations Committee?

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairman, we are now going into extraneous matters outside the budget-making process. Honestly, there are other opportunities for Members to debate on issues to do with gender. Any Member is at liberty to bring a Bill or a Motion on these gender issues to debate. Let us focus on issues that we are debating now on the Budget. I now notice that Members have started to take leave.

**The Temporary Deputy Chairman (Hon. Mariru):** Order, Hon. Murwithania.

**Hon. Rindikiri:** If that is wrong...

**The Temporary Deputy Chairman (Hon. Mariru):** Let us go to the programmes now.

*(Programme 0621000 agreed to)*

*(Vote 2141 agreed to)*

#### VOTE 2151 – INDEPENDENT POLICING OVERSIGHT AUTHORITY

THAT, a sum not exceeding Kshs817,002,200 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure (Recurrent & Development) during the year ending 30<sup>th</sup> June 2019 in respect of Vote 2151 (Independent Policing Oversight Authority).

*(Question proposed)*

**Hon. Waweru:** Hon. Temporary Deputy Chairman, this opportunity is much appreciated. I stand to support the allocation to the Authority. As I support this, I would like to tell the Authority that this House is keen to see that we get value for the money we are allocating them. I speak this at a time when extrajudicial killings in this country are on the rise, a matter that is affecting some of my constituents, as we speak right now. The only recourse that people have after the police have committed an injustice is the Independent Policing Oversight Authority (IPOA). It is known to members of the public that the uniform that police officers wear is bought using our taxes. The guns that they carry and even the bullets that they use are bought using taxes paid by Kenyans. So, when police guns are turned against the very people who pay taxes so that the police can be in the service, it becomes very unfortunate. We know that the police will not be able to investigate themselves. As such, we are calling upon the IPOA to step in so that we can reduce the cases of extrajudicial killing in this country.

**Hon. Seroney:** Thank you, Hon. Temporary Deputy Chairman. As much as we support the financing of the IPOA, officers at the IPOA need to pull up their socks in terms of executing their mandate. Sincerely speaking, there is a lot of mess within the National Police Service, but the IPOA has done nothing. Therefore, we want a proper report from this independent Authority. Where have they reached since they started so that we do not waste our funds? This is taxpayers' money.

I support the budgetary allocation but we need a proper report from the IPOA.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. I will give an opportunity to a maximum of two people. Before Hon. Angwenyi speaks, let us have Hon. Duale Dahir.

**Hon. M.D. Duale:** Thank you, Hon. Temporary Deputy Chairman. While I support the proposition, we are not getting value for money allocated to the IPOA. For example, in my constituency, we have had 14 extrajudicial disappearances but we have never had any report. About two days ago, in Eastleigh, four young men were shot dead. It is believed that some rogue policemen did it. We need to have value for money.

**The Temporary Deputy Chairman** (Hon. Mariru): Let us have Hon. Angwenyi then I will give one person on this other side because of the interest.

**Hon. Angwenyi:** Hon. Temporary Deputy Chairman, this is a superfluous Authority. We do not need it at all. There is nothing it does. Actually, it is better to improve the National Police Service Commission (NPSC) instead of this Authority. I therefore do not support this budgetary allocation for the IPOA.

**Hon. Wakhungu:** Thank you, Hon. Temporary Deputy Chairman. Hon. Angwenyi is the only man in Jerusalem. We have had issues in this country like extrajudicial killings. This Authority is underfunded deliberately. They are actually incapacitated. In the region I come from, we have had issues of land. The police come with fake court orders.

Then, people are evicted, they are shot and nothing is done yet we have reported. This is the IPOA we are talking about. We need it devolved to the counties so that they can provide proper oversight. When it comes to the Supplementary Budget, I think we need to add them more money so that they are able to move everywhere.

**The Temporary Deputy Chairman** (Hon. Mariru): Very well. Shall we get to the programmes?

*(Programme 0622000 agreed to)*

*(Vote 2151 agreed to)*

Hon. Members, we have just completed all the votes. I will ask the Mover to move.

**Hon. Ichung'wah:** Hon. Temporary Deputy Chairman, I beg to move that the Committee of Supply does report to the House its consideration of the Budget Estimates for the Financial Year 2018/2019 and its approval thereof with amendments.

*(Question put and agreed to)*

*(The House resumed)*

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

## REPORT

### ESTIMATES OF RECURRENT AND DEVELOPMENT EXPENDITURE FOR THE YEAR ENDING 30<sup>TH</sup> JUNE 2019

**Hon. Mariru:** Hon. Temporary Deputy Speaker, I beg to report that a Committee of Supply has considered the Budget Estimates for the Financial Year 2018/2019 and approved the same with amendments. Pursuant to the provisions of Article 221(3) of the Constitution of Kenya, Section 39 of the Public Finance Management Act, 2012, and Standing Order 240, approves the issuance...

*(Several Members withdrew from the Chamber)*

**The Temporary Deputy Speaker** (Hon. Omulele): Just a moment. Hon. Members, I would like to beseech you to be a little patient so that we can complete this business. We need quorum and I think we have it, as it is. So, just be a little patient so that we can finish.

Proceed, Hon. Temporary Deputy Chairperson.

**Hon. Mariru:** Hon. Temporary Deputy Speaker, will you allow me to take that again?

**The Temporary Deputy Speaker** (Hon. Omulele): Please do.

**Hon. Mariru:** Hon. Temporary Deputy Speaker, I beg to report that a Committee of Supply has considered the Budget Estimates for the Financial Year 2018/2019 and approved the same with amendments and pursuant to the provisions of Article 221(3) of the Constitution of Kenya, Section 39 of the Public Finance Management Act, 2012, and Standing Orders 240, approves the issuance of a sum of Kshs1,749,561,667,908 from the Consolidated Fund to meet the expenditure during the year ending 30<sup>th</sup> June 2019 in respect of the Votes as approved in the Schedule and that necessary adjustments be made to Programmes amended in the Committee of Supply.

**The Temporary Deputy Speaker** (Hon. Omulele): Very well. Hon. Mover?

**Hon. Ichung'wah:** Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee of Supply in its consideration of the Budget Estimates for the Financial Year 2018/2019 and pursuant to the provisions of Article 221(3) of the Constitution of

Kenya, Section 39 of the Public Finance Management Act of 2012; and Standing Order 240 approves the issuance of a sum of Kshs1,749,561,667,908 from the Consolidated Fund to meet the expenditure for the national Government, Parliament and the Judiciary during the year ending 30<sup>th</sup> June 2019 in respect of the votes as approved in the Schedule and that the necessary adjustments be made to programmes amended in the Committee of Supply.

I would like to request, Hon. Lessonet Moses to second the Motion for agreement.

**Hon. Lessonet:** I second.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Omulele): I will allow, probably, two or three Members. I know it has been a long day.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, is it the mood of the House that we put the Question?

**Hon. Members:** Yes!

**The Temporary Deputy Speaker** (Hon. Omulele): Very well.

*(Question put and agreed to)*

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, the doors of the stable are closed. You have concluded that business. So, anything that you say in regard to this matter that we have concluded will just be so much air. I direct that we move to the next business.

## BILL

### *Second Reading*

#### THE TAX LAWS (AMENDMENT) BILL

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, even as you retreat, I am giving the microphone to Hon. Mbarire.

**Hon. (Ms.) Mbarire:** Hon. Temporary Deputy Speaker, I rise to seek your indulgence in view of the fact that we expected this thing to move till closure of business. We would, therefore, like to postpone this matter until the next allotted day.

**The Temporary Deputy Speaker** (Hon. Omulele): I will oblige you. I think we have had a long day. Thank you, Members for the job that you have done today on the Budget proposals.

Hon. Members, we will, therefore, defer the business listed as No. 9 on the Order Paper.

**ADJOURNMENT**

**The Temporary Deputy Speaker** (Hon. Omulele): Hon. Members, the time being 6.59 p.m. this House stands adjourned until tomorrow Thursday, 14<sup>th</sup> June 2018 at 2.30 p.m.

The House rose at 6.59 p.m.