

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 8th November 2017

The House met at 9.30 a.m.

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

PRAYERS

QUORUM

Hon. Deputy Speaker: Hon. Members, we do not seem to have the requisite quorum. I, therefore, order that the Bell be rung for 10 minutes.

(The Quorum Bell was rung)

We now have the required quorum. Therefore, business will begin.

PAPERS LAID

Hon. Deputy Speaker: I think the Leader of the Majority Party has a handful of Papers to lay on the Table.

Hon. A.B. Duale: Hon. Deputy Speaker, I beg to lay the following Papers on the Table of the House:

List of nominees to 63 National Government Constituencies Development Fund Committees from the National Government Constituencies Development Fund Board.

The Report of the Board of the National Government Constituencies Development Fund on project proposal approvals, disbursement status and restrictions imposed on constituency accounts for the fourth quarter of the Financial Year 2016/2017.

The Annual Report and financial statements of the Kenya Accountants and Secretaries National Examination Board (KASNEB) for year ended 30th June 2016.

The Report of the Auditor-General on the financial statements in respect of the following institutions for the year ended 30th June 2016 and the certificate therein:

- i. Kenya Forestry Research Institute
- ii. Export Processing Zones Authority
- iii. New Kenya Co-operative Creameries Limited
- iv. Sports Kenya
- v. Masinde Muliro University College of Science and Technology
- vi. Meru University of Science and Technology
- vii. Engineers Board of Kenya
- viii. Kenya Urban Roads Authority
- ix. South Eastern Kenya University

- x. Technical University of Kenya
- xi. Kenya Ordinance Factories Corporation
- xii. Nairobi University
- xiii. Sunset Hotel Limited
- xiv. Kenya Deposit Insurance Corporation

Reports of the Auditor-General on the financial statements of Kenya Urban Roads Authority (KURA) in respect of the following projects for the year ended 30th June 2016 and the certificate therein:

- (a) National Urban Transport Improvement Project IDA Credit No. 5140 Kenya
- (b) Nairobi Outering Road Improvement Project No. P-KE-DBO-020
- (c) Dualling of the Nairobi-Dagoretti Corner Road C60/C61 Project JICA Grant No. 1260210.
- (d) Nairobi Non-Motorized Transport Facility Grant No. KE/FED/022/951.

Hon. Deputy Speaker: Very well.
Next Order.

NOTICE OF MOTION

APPROVAL OF NOMINEES TO NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND COMMITTEES

Hon. Deputy Speaker: Again, the Leader of the Majority Party.

Hon. A.B. Duale: Hon. Deputy Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Section 43(4) and Regulation 5(10) of the National Government Constituencies Development Fund, 2015, this House approves the list of nominees for appointment to the following sixty three (63) constituency committees of the National Government Constituency Development Fund, laid on the Table of the House on Wednesday, 8th November 2017:

1. Bannisa
2. Baringo North
3. Bobasi
4. Bomet East
5. Bondo
6. Central Imenti
7. Chuka/Igambang'ombe
8. Emuhaya
9. Embakasi South
10. Endebess
11. Funyula
12. Ganze
13. Igembe South
14. Ikolomani
15. Isiolo North
16. Kabondo-Kasipul
17. Kajiado East
18. Kaloleni
19. Kamukunji
20. Kanduyi
21. Kiambu
22. Kieni
23. Kikuyu
24. Kimilili
25. Kuresoi South
26. Laisamis
27. Limuru
28. Maara
29. Machakos Town
30. Makadara
31. Matayos
32. Mathira
33. Matungu
34. Moyale
35. Mumias East
36. Mumias West
37. Mwala
38. Mwea
39. Naivasha
40. Nakuru Town East
41. Nakuru Town West
42. Ndhiwa
43. Ndia
44. North Horr
45. North Imenti
46. North Mugirango

47. Nyaribari Chache
48. Rarieda
49. Samburu North
50. Shinyalu
51. Sotik
52. Suba South
53. Suna East
54. Suna West
55. Tarbaj
56. Tharaka
57. Tiaty
58. Tinderet
59. Turbo
60. Turkana West
61. Ugunja
62. Vihiga
63. Yatta.

Hon. Deputy Speaker: Very well. Next Order.

PROCEDURAL MOTION

EXEMPTION OF BUSINESS FROM PROVISIONS OF STANDING ORDER 40(3)

Hon. Deputy Speaker: Again, the Leader of the Majority Party, do you want to move that Procedural Motion? Proceed.

Hon. A.B. Duale: Hon. Deputy Speaker, I beg to move the following Procedural Motion:

THAT, this House orders that the business appearing in the Order Paper be exempted from the provisions of Standing Order 40(3), being a Wednesday Morning, a day allocated for business not sponsored by the Majority or Minority Party or business sponsored by a committee.

Last night in the meeting of the House Business Committee (HBC), chaired by the Speaker, we had no business for this morning, being a day that is reserved for Private Members' Motions. The only two Motions that were available were one by Hon. Chepkut and the other one by Hon. Omar of Mandera East. Because those two Motions which were balloted had to be in a process of which those individual Members had to give a Notice of Motion, then there was no way we could discuss them this morning. Therefore, they will give the Notices of Motions this afternoon and then they will be slotted for debate on the next available Wednesday morning.

In the absence of any Private Member Motions, I really want to ask my colleagues that please liaise with the Table Office and start generating Private Members' Motions and Bills. I am sure the staff in that office are ready to assist Members, so that we have more Motions to be debated concerning the people we represent. We had only two Motions which we balloted last night and the individual Members need to give Notice of Motion before they can be discussed.

Having no business for this morning, we realised that the House had to sit and pick other businesses that were available at the desk of the Leader of the Majority Party. So it is just a procedural Motion to make sure that we do not break the law as per the Standing Orders.

I beg to move and ask Hon. Cecily Mbarire to second.

Hon. Deputy Speaker: Proceed.

Hon. (Ms.) Mbarire: Thank you, Hon. Deputy Speaker. In view of what the Leader of the Majority Party has mentioned, I beg to second.

(Question proposed)

Hon. Members: Put the Question.

Hon. Deputy Speaker: Is that the mood of the House? Well, if there are Members who really want to contribute, we should give them time. I can see Hon. Kathuri Murungi wants to contribute to this one. We can start with him.

Hon. Murungi: Thank you, Hon. Deputy Speaker. I want to support this Motion by the Leader of the Majority Party. In many instances when there is no private business from Members, as usual we have a similar Motion so as to put the record straight.

I also want to take this opportunity to condole with the family of Hon. Kabeere M'Mbijiwe who was a Member of this House for three terms from South Imenti Constituency.

Hon. Deputy Speaker: Order, Hon. Kathuri. Whereas that would be irrelevant, I would be very sympathetic for two reasons. Number one, I know you are a Member from that particular constituency which the Member used to represent. I am also told that you are a member of *Njuri Ncheke*; that I am not sure about. Thirdly, you have close similarities; you could easily be family.

Let us hear from you.

(Laughter)

Hon. Murungi: Thank you, Hon. Deputy Speaker, for your indulgence.

Hon. Deputy Speaker: I will give you two to five minutes, whichever you think is enough.

Hon. Murungi: Thank you very much, Hon. Deputy Speaker. Hon. Kabeere M'Mbijiwe sat in this House for three uninterrupted terms. He served during the government of Mzee Jomo Kenyatta. He was appointed as Assistant Minister for Foreign Affairs. He then worked closely with former President Daniel arap Moi as Minister for Agriculture, Minister for Energy and Minister for Health. For those Members who do not know how he looks, his portrait is at the entrance of the main Chamber. I would wish those who know him and those who even do not know him, but maybe like his face, to at least, condole with the family because he has left an indelible mark in this country.

These are the people who served tirelessly to put the foundation that we really enjoy and the foundation which many of the leaders are very keen to destroy. So Kenya has come from far. I would like to tell Members that when Mzee served in my constituency for three terms, he really did a lot of work in the sector of electricity and agriculture. There are some regions which border Tharaka Constituency which are almost arid, where my colleague Hon. Murugara comes from. That area has been transformed to be a grain basket nowadays.

Hon. M'Mbijiwe and other members who served during his term have left this world and those others who are living like Mzee Moi and the rest; I wish them to have good life. Maybe they should not sit back. A time like now, those leaders should come out and advise us young leaders how to behave, how to put Kenya together and how we should avoid selfishness in leadership, so that Kenya can move on together. What has been put together in this country from

1963 should not be left to go down the drain, especially a time like now when people are contesting presidential elections like it is a job. Sometimes these lawyers... I am not a lawyer myself and I am not belittling them, but they should not be running to court for very flimsy reasons to contest the election of a president. It looks like a president is now like a small boy in this country and anybody can just go left, right and centre to contest his election.

Kenyans should really behave and know that, that is an office which owns the whole country.

Thank you very much Hon. Deputy Speaker. Again, I really thank you for your indulgence.

Hon. Deputy Speaker: Okay. Let us hear from Hon. Dr. Makali Mulu. For the record, I am going to give only two more Members. Maybe, three at most because really this is a fairly straightforward matter. We really can speak to other matters. Let us hear what Dr. Mulu has to say.

Hon. Mulu: *(Technical hitch)* We have a duty to do our work.

Hon. Deputy Speaker: Do you have the microphone?

Hon. Mulu: *(Technical hitch)* We must learn a lesson as we are in this House by choice. I think this House has been operating for the last three months. *(Technical hitch)* and when the Judiciary is doing their work, and they have claimed their independence, I think we have a tall order as a Parliament, irrespective of our political affiliations to reclaim the independence of the House.

Let us take this as a lesson learnt so that in future we do not get into a situation as the Leader of the Majority Party says, where Members cannot generate work for this House through Private Members' Motions.

Thank you, I support this Motion.

Hon. Deputy Speaker: Let us hear Hon. Dr. Wamalwa then I will give one person from this other side and that will be it.

Hon. Wakhungu: Thank you, Hon. Deputy Speaker. I rise to support this Motion for the exemption of Business as per Standing Order No.40(3). We know very well that Wednesday mornings are normally scheduled for Private Members' Motions and it is totally in order. Of course, this has been normal even if there was business for Private Members, but if we have other priorities, it is not something extraordinary. It is actually in order. I am saying this because when I was coming in, I met so many Members of Parliament who lost in the elections. As you know, survival is not that easy out there since they are not on the payroll anymore. They are asking about their pension. As we know, in some of the listed Motions to come, there is the one approving Members to the Pensions Committee which we must move with speed so that we can expedite the process and more importantly have the members of the Constituency Committees of the National Government Constituency Development Fund (NG-CDF) which is actually very urgent. So, we urge Members to support this and move on so that we can transact some important business which will add a lot of value to your constituents, particularly when it comes to matters of the NG-CDF.

Thank you and I support.

Hon. Deputy Speaker: Let me give a last chance so that we balance the House. Since Meru has spoken, I will give chance to---

An Hon. Member: Nakuru!

Hon. Deputy Speaker: Somebody is telling me Nakuru. However, it is not going to be the one who shouted it. Let me give Hon. Gikaria a minute.

Hon. Gikaria: Thank you Hon. Deputy Speaker for giving me this opportunity. As a matter of procedure, I know in the last Parliament there were quite a number of Members of Parliament who did not show up and they had some very good Motions. Their intentions were that their Motions be discussed in the 11th Parliament. I think it is also advisable now for the new Members to go to the Table Office and pick those Motions because some of them were very important. I am saying this because I was in the Committee on Implementation and there were so many other Members who never had an opportunity to come back. In light of what the Leader of the Majority Party has just said, we need to go there and give our Motions. I think that is something that is so important for us and I also support what has just been moved by the Leader of the Majority Party. It is important and I am saying this in light of what happened. Private Members' Motions are very critical. They assist individual Members to address at the constituency level and also generally at the national level some of the very pertinent issues that have arisen. Maybe, they might be looked at as local within the constituency but finally they end up assisting the national outlook and I think it is important for us not to ignore that. I hope by the time this House is properly constituted and the Committees are in place, we can be able to discuss those Private Members' Motions and other issues. This is a place where Members have an opportunity to be heard.

Hon. Deputy Speaker: Hon. Dawood, what is your point of order?

Hon. Dawood: On a point of order, Hon. Deputy Speaker. The former Vice-Chair of the Committee on Implementation in the last Parliament is telling us that Motions really assisted us in the last Parliament but I am afraid that nothing has happened to many Motions. Is he in order to mislead the House by saying that many Motions have assisted and yet nothing happened to Motions in the last Parliament?

Hon. Deputy Speaker: Proceed and rewind that.

Hon. Gikaria: I totally agree with the Leader of the Majority Party. This is some of the information we got at the induction course. Most of those Motions were urging the Government. Even as the Committee on Implementation we were unable to do anything.

Secondly, most of these Motions which were brought by Members were about functions of the county governments. If you tell them to build a hospital, yes, it will pass here and Members will agree but at the end of the day, the Government has no funds to go and build a dispensary at the county level. That is why we were indulging the leadership to scrutinise some of these Motions and for the Speaker to approve what will come for purposes of legitimacy and implementation. This is because, again, as much as we speak, we might not implement them. However, some of them were very important and they really assisted this House, particularly the issue of tarmacking of our roads. It came from a Member's Motion and it was taken up and implemented. At least we have seen a few kilometres of roads in various constituencies being done. So, it is important that the Leader of the Majority Party has challenged us to be able to start bringing Private Members' Motions on Wednesday mornings.

Thank you, Hon. Temporary Deputy Speaker.

(Question put and agreed to)

Hon. Deputy Speaker: Next Order

MOTION

APPOINTMENT OF MEMBERS TO PARLIAMENTARY PENSIONS MANAGEMENT COMMITTEE

Hon. A.B. Duale: Hon. Deputy Speaker, I beg to move the following Motion:

THAT, pursuant to the provisions of Section 19(1)(c) of the Parliamentary Pensions Act (Cap. 196) and notwithstanding the provisions of Standing Order 173 (1), this House approves the appointment of the following Members to the Parliamentary Pensions Management Committee, in addition to those specified under Section 19(1):

- (i) The Hon. Dan Wanyama, MP;
- (ii) The Hon. Rehema Dida Jaldesa, MP; and,
- (iii) The Hon. Andrew Mwadime, MP.

Hon. Deputy Speaker, all those three Members represent both sides of the House. Hon. Mwadime is there because he was a Member of the Pensions Committee during the 11th Parliament, and we need him for transition and institutional memory.

Section 19 of the Parliamentary Pensions Act, Cap 196, provides that there shall be Pension Management Committee comprising of –

- (a) The Speaker of the National Assembly who shall be the chairman;
- (b) The Attorney-General or his representative;
- (c) Three members of the National Assembly to be appointed by the National Assembly and approved by the House;
- (d) The Permanent Secretary to the Treasury or his representative;
- (e) The Clerk of the National Assembly, who shall be the Secretary; and
- (f) The Accounts Controller of the Treasury.

These are the other members as given out in section 19(1) of the Act.

Hon. Deputy Speaker, this Committee is mandated, among other functions, to look into pensions, gratuities, refund of contributions, other allowances of the past and present Members of Parliament. In addition, this Committee is supposed to review the benefits before the Committee approves payments to Members and make a determination on payments of the said Members.

This Committee works closely with the National Treasury to ensure that payments to Members are done promptly and accurately. This House is aware that the Committee is yet to be constituted. The rest of the other Members are there. Therefore, with the approval of these three Members, the Committee will be fully reconstituted for the 12th Parliament.

There is a huge number of pending pensions applications lodged by Members of the 11th Parliament, which should be considered by this Committee. This backlog stands at 160 applications as of today that needs to be disposed of. Therefore, the formation of this Committee is paramount and timely.

Members of Parliament, particularly the new ones, must look into this matter. This is one of the most unsecured jobs in Kenya. It is a job which you would do as you have what it takes, and you are still told that you do not look good and do not deserve to be re-elected. That is why about 68 per cent of former MPs lost their seats. Right now, the 160 Members who did not make it back to this House need to start a new life. They spend a lot of resources. I am sure that they wanted a new life. They should prepare themselves for the new challenges ahead in life.

Therefore, I ask the colleagues that will be in this Committee to be different from the representatives from the Attorney General's Office and the National Treasury. These are like

your former school mates. Please, let them get whatever they are supposed to get, as per the law. The Government contributes to your pension as you also contribute as the beneficiary. If you lose the parliamentary seat in your first term, you get back your share of the contributions; and not the Government share of 25 per cent.

There are many of them who have been asking Hon. Speaker when they will be paid. Some of them have petitions, while others want to start life afresh. Therefore, the earlier the 160 MP are paid, the better. Secondly, and more fundamentally, is that you must work hard and serve two terms so as to get a decent send-off package. I was with Hon. Mbadi yesterday. We calculated our benefits, now that we are serving our third terms. The outcome of the calculation was not that bad.

(Laughter)

I told him that by that time, my children will have grown up. It will be only me and my other half who will need the money. Therefore, the little pension amounting to about Kshs200,000 can buy us *mboga*.

(Laughter)

Therefore, hon. Members, as an old colleague, I urge that as you work for the constituency---

Hon. Deputy Speaker: Order, hon. Members! Let the Leader for the Majority Party have his peace.

Hon. A.B. Duale: Hon. Members, let us work for our retirement. Do not leave yourself behind. Work 60 per cent for your constituents and 40 per cent for yourself. We are colleagues and we will be meeting in the villages, where we will be visiting each other when we are old. Please, work for the constituency and country but also work for your family and your retirement.

I beg to move and ask Hon Mbarire to second.

Hon. (Ms.) Mbarire: Thank you, Hon. Deputy Speaker, I rise to support the Motion and say how important it is. For those who have come when there is pension, it important to know that the 8th Parliament going backwards, Members went home with zero money in their pockets. If you lost an election, it meant getting yourself into abject poverty. I honour the work of Hon. Oloo Aringo who, during the 8th Parliament saw it fit to create the Parliamentary Service Commission (PSC) and enhance the salaries of MPs, which were then very low. More importantly, the PSC created a pension fund for MPs. My late father was an MP of this House in the 1970s and early 1980s. He must have been here with Hon. Kabeere M'Mbijiwe, among others. The experiences of the families of Members who left this House were miserable. Those Members served diligently at that time. They earned very little and they went home with no pension at all, and the families suffered.

The amazing thing about being an MP is that you also deal with very merciless public that waits to see you go home and they start saying: "Even his suit is oversize". It does not matter how hard you work, they will say that your shoes are torn and you cannot even afford tyres for your car. That applies to the young MPs, whom I always tell that once they come here as young MPs, they become unemployable. Going forward, nobody will need you in their offices. They think you cannot sit in an office from 8.00 a.m. to 5.00 p.m. Therefore, it is important that we have a pension. We must support the 160 Members who have left us because that is the reality.

It is important that we support the 160 plus members who never made it back here because the reality is that an average of 70 per cent of Members go back home. They need the pension so that they can move on with their lives and take care of their families. I also want to add my voice to that of the Leader of the Majority Party that we should take care of our personal growth and that of our families. Many a time most Members come to this House and think that five years is a very long time yet it lapses so fast. After losing in the election one realises they have nothing to take home to their family. Please take care of yourselves. I do not think being a Member of Parliament and a public servant means that you must end up living in poverty or suffering and even being unable to afford your medical bills. I always feel very saddened when I meet a former MP and he or she looks very needy. It makes me feel sad because I know that person served the people and probably gave their salary to pay school fees for other children somewhere. I think all the Members deserve to retire well when the time comes.

Hon. Deputy Speaker: Order, Hon. Mbarire! As you speak you are facing the opposite direction. You should face the Chair.

Hon. (Ms.) Mbarire: I should face you, Hon. Deputy Speaker?

Hon. Deputy Speaker: Yes.

(Laughter)

Hon. (Ms.) Mbarire: Hon. Deputy Speaker, maybe you want to look at my face so I will allow you to do so. I know from where you are seated you are happy about this because you have been here long enough to understand this and also lost once. But, I remember meeting you and you looked happy because you had received your pension after one term. So, you understand from where you seat how important this is. The Committee Members we are proposing today have been urged to try and start their work immediately and treat the former MPs with courtesy so that they can pay fees, take care of their needs, start businesses and move on.

With those many remarks, I beg to second.

(Question proposed)

Hon. Deputy Speaker: We will start with the Member for Gilgil.

Hon. (Ms.) Wanjira: Thank you, Hon. Deputy Speaker for giving me an opportunity. I rise to support this Motion. In fact, it is long overdue because we have had high political temperatures which have prevented us from giving some of these matters good attention. I think it is high time we passed the names to this Committee. I am a young parliamentarian and I served in the 11th Parliament where 50 of us were below the age of 35 years at that time. I want to tell the young men and women here that out there it is not going to be easy. You will not get employment. The expectation is that you will always knock at doors and employers will look at you as a former MP even if you are 50 years old.

I think it is quite in order for this Committee to be put in place and even as we celebrate our win we should also remember our former colleagues. The turnover rate in this House is 70 per cent. When you pass through that door you are already a potential former MP and it hits you very fast because five years go by very fast. As we celebrate our win, we should look into the welfare of our former colleagues who are out there considering that we are headed out there very soon. When I walked into this House the first time in the 11th Parliament I saw some former MPs begging for a cup of tea at the restaurant and it was heartbreaking. You can see how *wananchi* will treat you from the death of Wahome Gakuru yesterday. There are people who are

celebrating his death yet they did not know him but just because he was a politician they post nasty things on *Facebook* and *Twitter*. When people want to release their frustrations, they abuse or hate on a politician as the first target.

The issue of pension is well thought out and I hope it can be expedited so that former MPs can get their lives back in order to provide for their families and live as honourable persons in their communities. I can assure you that even as we debate the Parliamentary Pensions Management Committee there is something which we have to review considering the demographics of this House. The number of young people in this House is increasing and the age at which one can access pension is 45 years. I think we must review this because there are some of us who will have served two terms and will not have reached 45 years. We should look into this considering that the demographics show that more than 70 per cent of the Members are below 40 years. So, there is need to access one's benefits the moment one serves two terms regardless of attaining the age of 45 years or not. This will enable Members to get a good start out there even though they would not have attained the age of 45 years. I believe by the time one does 10 years in Parliament one would be mature enough, even if not on age, to manage their pension.

Hon. Deputy Speaker, with that, I support.

Hon. Deputy Speaker: Luckily you are seated very close to Hon. Maoka Maore. He can give you some tips about that. I am also informed that recently you sat with Hon. Khaniri, and probably he had the same problem. I will now give Hon. Omboko Milemba, Member for Emuhaya.

The Member for Emuhaya (Hon. Jeremiah Omboko Milemba): Thank you, Hon. Deputy Speaker for giving me a chance to contribute to this Motion on the Approval of the Appointment of Members to the Parliamentary Pensions Management Committee which is very important. First, before I make my contribution, let me thank the people of Emuhaya for having elected me to come and serve them. Emuhaya is a constituency that has a good history in this House. It gave you Speaker Marende and later on brother Ottichilo who also rose to become one of the best MPs in terms of management of the National Government Constituencies Development Fund (NG-CDF). Now, I am here and I will also be looking around to see what best I can get out of the House.

Having said that, let me condole with the families of both M'Mbijjiwe and the Governor for Nyeri for what happened yesterday. I come from a background where I deal with people's pensions, salaries and wages and I find this Motion being important to this House not just now but before and in future. I want to believe that Hon. Dan Wanyama, Hon. Rehema Dida and Hon. Andrew Mwadime are people who will do this work diligently. I do not know them *per se* but I believe they have been chosen because of the fact that they can serve well in this area.

They should work well in order to be appreciated by parliamentarians. I have heard a Member who has spoken before me say that Oloo Aringo did good work. They should stand for the parliamentarians' interests. I also want to mention a few tasks of the Parliamentary Pensions Management Committee which I heard from the Leader of the Majority Party. They include looking into the allowances of the past and present MPs, to review the benefits of Members and to look into it that pensions are paid on time. The Parliamentarians Pensions Scheme may require a few reviews.

One, I support the previous speaker who said that the age limit could be a limiting factor to those who qualify and yet they already have served two terms. I really want to ask the Member of Parliament that in future, you should look at it that even a member who serves for

one term qualifies to get this pension. It is not easy for one to come here but it is very easy to leave here. When you leave, it is not easy for you to get another job outside there because people always rank you at a certain level. That includes you, Hon. Deputy Speaker. If you leave this House and get out there, nobody will want to touch you because they believe that you reached the apex of employment in this country. Therefore, this House should in future look into the prospect of giving pension to members who even served for one term, calculated pro rata to the one term service they have provided.

Pension schemes are not only a threat to Members of Parliament but they are also a threat to teachers who have served and continue to serve as Members of Parliament. Back to the Teachers Service Commission (TSC), we were told that the backlog of pensioners stands at 160,000 members. Later on, I will be bringing a Private Member's Motion to Parliament about the backlog of pensions at the TSC. It is in hundreds of thousands. As this Committee goes to work, I want it to work well and reduce the backlogs. This House must also remember that most of the other workers out there, especially the teachers of Kenya, die before they get their pension. They die in very pathetic conditions.

With those very few remarks, I support the Motion.

Hon. Deputy Speaker: I will give the opportunity to the Member for Lamu.

Hon. (Ms.) Obo: Asante Mhe. Naibu Spika. Ninashukuru umenipatia nafasi hii nami nichangie. Nina-support Hoja hii. Kama utaniruhusu, ningependa nami kutoa rambirambi zangu kwa---

Hon. Deputy Speaker: Ni vizuri uzungumze kwa Kiswahili na kiwe Kiswahili tupu.

(Laughter)

Sasa ukisema ninasupport hiyo ni mchanganyiko. Unafaa useme unaunga mkono.

Hon. (Ms.) Obo: Ninaunga mkono.

Hon. Deputy Speaker: Endelea.

Hon. (Ms.) Obo: Kama utaniruhusu, ningependa kutoa rambirambi zangu kwa jamaa na marafiki wa Gavana wa Nyeri. Mimi na watu wa Kaunti ya Lamu tunasema pole. Pia Lamu tumekuwa na mkasa mdogo na ningependa kutoa rambirambi zangu. Kuna mgonjwa wa akili aliyekuwa anatembea msituni. Maafisa wa KDF walimpiga risasi kisha wakaandika wameua gaidi wa *Al-Shaabab*. Tunatoa pole na tunaomba wahusika waombe msamaha kwa sababu familia ina uchungu sana na sisi kama viongozi wa Lamu tunajaribu kuweka jamii na maafisa wa usalama wawe karibu na wasiwe mbali sana ili wakiona mtu anapita ambaye hawamjui wapeleke habari. Hata hivyo mambo haya yakiendelea kwamba watu ambao hawana hatia wanauawa hiyo chuki inaendelea na hata wakiona wahalifu hawawezi kusema.

Haya mambo ya *pension* in mazuri na itasaidia maana hata tunaogopa. Kila anayesimama anatupatia mfano wa kusema wale waliokuwa hapa na sisi ni wageni tumeingia. Tunaogopa na tumeingiwa na uoga tusije tukatoka hivi hivi na ukiona mambo yanavyoendelea hali saa hii ni ngumu na mishahara imekatwa. Tunafikiria kwenda kuvaa *badge* turudi kwa kurusha ndege au kufanya kazi zingine. Hata hivyo naona muda hautoshi. Tunafaa tuhudumie jamii. Kwa hivyo mimi ninaunga mkono sana mambo haya ya *pension*. Sijui *pension* kwa Kiswahili. Asante.

Hon. Deputy Speaker: I will give an opportunity to the Member for Matungulu.

Hon. Mule: Thank you, Hon. Deputy Speaker, for giving me the opportunity to support the Motion for pension for our colleagues. For new members, my name is `Hon. Stephen Mule serving my second term.

Hon. Deputy Speaker: We have to be clear, Member for Matungulu. We are not dealing with pensions for our colleagues. We are only dealing with a specific Motion here approving membership to the Pensions Management Committee.

Hon. Mule: Thank you, Hon. Deputy Speaker. I stand guided. I believe the spirit is the same because we are looking forward to making sure that our colleagues who we were in the 11th Parliament have started their lives. I want to say very clearly that this Motion is overdue and I thank the leadership for the selection of the members to this Committee. Hon. Mwadime and Hon. Wanyama are members we served with last term. I know very clearly, they have the expertise to deal with this issue.

Hon. Deputy Speaker, allow me to use you as an example. When you lost an election in this House, you had to go and start some farming activities of potatoes to survive.

Hon. Deputy Speaker: We will not entertain rumours in this House. Member for Matungulu, that is completely irrelevant. I want you to proceed.

(Laughter)

Hon. Mule: Hon. Deputy Speaker, it is very clear that our former colleagues out there who we were in this House together are suffering because they were in an election where they spent their resources. They need some cushion. I ask the members who are selected to this Committee to begin their work immediately with the other members and make sure that we put the interest of our colleagues. Those are our colleagues in this House and they will remain so. We intend to make sure that our colleagues out there give a true image of *mheshimiwa*. We have seen the scenario that our former colleagues or old Members of Parliament have gone through and it is difficult.

Having said that, I pass my condolences and the condolences of the people of Matungulu to the family and friends of the Governor of Nyeri who died in the most tragic accident yesterday morning. I want to say very clearly that this House and the Committee which will be selected for Information and Communication Technology (ICT) need to come up with laws to deal with the social media. As a Member of Parliament, even before your people know your fate, you are already condemned dead by the social media. I know it is within the powers of this House without fear or favour to deal with such issues within the law. I urge the public: Please, the social media has become a tool but do not misuse it to harm other families. Governor Wahome has a family but what happened yesterday is not allowed.

Last but not least, I urge the new members. Being a member of the Departmental Committee on Health in the last Parliament and being the chair of the Tuberculosis Caucus, once we come back after recess, I will pass a paper to recruit you to be members of the Caucus. TB is one of the most dangerous diseases in the world and if you look at the report done by the World Health Organisation (WHO) just recently, Kenya has been declared among the top 20 countries in the world---

Hon. Deputy Speaker: I want you to go back to the rail really because you might have an extremely good issue you are passing to the members but it is not specifically relevant to the appointment of these members. I know this is a matter which is very close to your heart but kindly we will get a mechanism of having the same information passed but you have already hinted what you actually intend to tell them.

Hon. Mule: I stand guided, Hon. Deputy Speaker. I want to urge Members to register when they see any registration of Members to the new caucus. We will call a meeting and move

together so that we can deal with this issue. I want this House to approve these names as soon as possible so that we give guidelines to those Members. We know that the Committee does not belong to the three Members. It belongs to the other arms of Government. Let Hon. Mwandia, Hon. Dan Wanyama and Hon. Rehema carry the interests of Members of Parliament to that Committee. If you find it difficult, please come back and report to us. Do not be oppressed because the Committee is large and there are only three of you. We will protect you from this House without fear or favour.

I support the Motion.

Hon. Deputy Speaker: Let us have Hon. Ombaki Machogu.

Hon. Ombaki: Thank you very much Hon. Deputy Speaker for the opportunity to support this Motion. We know that our brothers and sisters out there were not able to make it to the 12th Parliament and are undergoing a lot of financial problems. Once this Committee is constituted and commences work, their pension will be processed in the quickest time possible.

I remember that in the 9th Parliament, a Private Members' Motion was passed here by none other than Hon. Musila, where a timeframe was given for teachers and the public sector employees to be paid their pension within a given time period. It is incumbent upon us as Members of Parliament, particularly the Committee on Implementation, to make a follow up because we do not need to come up with another Motion since a Motion was already passed. The problem is implementation. I am aware that civil servants and teachers are not paid their dues.

I support the appointment of the three Members so that they can handle the backlog and ensure that our Members are paid their pension within the shortest time possible.

I support the Motion.

Hon. Deputy Speaker: Let us have Hon. Sammy Seroney.

The Nominated Member (Hon. Sammy Kipkorir Seroney): Thank you, Hon. Deputy Speaker. I stand to support the Motion of appointment of those three Members. Before I proceed, I need your protection.

(Loud consultations)

There are loud consultations around here. Before I proceed, this is my first time to contribute in this House. It is my first time to be in this House. Sincerely speaking, I want to thank my party leadership – the Wiper Democratic Movement (WDM) and the WDM Members of Parliament who were elected to this 12th Parliament and who enabled my nomination to be a reality.

When you go out there, the lives that former Members of Parliament are living are totally pathetic. I urge the three Members who have been proposed to that Committee to take this issue of the pension scheme seriously. As one Member proposed earlier, we need to look into how we can get pension after serving for one term. It is true. There are so many former Members of Parliament in Nairobi who are unable to go home because after serving for one term, they spend all their resources, have nothing else remaining and nobody can employ them. Being employed as a Member of Parliament is one of the top most forms of employment that one can get in this country. Therefore, I support the appointment of the three Members and sincerely ask them to go out and be very conscious of what they will make out of that Committee as far as the Parliamentary Service Commission (PSC) and pension scheme are concerned.

I also want to condole with the Nyeri people, the family of the Governor of Nyeri and the family of Hon. M'Mbijiwe. I sincerely want to pass my condolences and those of my family to the family and the Nyeri people.

I have observed a lot as I go through social media. Social media has become a place for speculation, hatred and negative talk about others even on things that they have never done. You are labelled with things you have never done. We need to look into this issue of social media as a House. I got shocked when I read some funny things about the late governor. Instead of condoling with the family, you start sharing words that will hurt the family most. Sincerely, we need to look into that issue of social media critically as a House. If we do not get a way of putting a "speed governor" on social media, it will destroy this country and all of us.

On the same social media, my party leader is out of this country taking care of his wife who is ailing. You find some people circulating messages of hatred. I want to say clearly that we need to pray. I ask you, Hon. Members, to pray for *Mama* Pauline. She has been having that problem for some time. My party leader is as clean as snow as far as those things that are on social media are concerned.

Hon. Deputy Speaker: Hon. Seroney was giving his maiden speech so there would have been no interference at all. I saw a few Members who wanted to raise points of order but I would not have allowed them on that basis. Hon. Seroney, if you have another opportunity later and you raise issues, you might be put to task because I heard somebody shouting "which things" and so forth or other Members may need some clarifications. You have made your point.

Members, let us stick to the Motion which we are discussing. Let me go to a very senior Member here, Hon. Olago Aluoch, and then I can come to this other side.

Hon. Aluoch: Thank you, Hon. Deputy Speaker. I wish to support this Motion but I want to set the record straight because to me it seems like Members imagine that the Pensions Management Committee simply looks at pensions of former or sitting Members. The Pensions Management Committee is one of the many arms of the PSC. It comprises of these three representatives from this House plus another group from the National Treasury and another group from the staff of Parliament. The three we will nominate will be sitting in a bigger group.

The question we should be asking ourselves is: In approving the three names - Hon. Dan Wanyama, Hon. Rehema Dida Jaldesa and Hon. Andrew Mwadime - are we satisfied that they have what it takes to represent and understand the life of a Member of Parliament? Do they sufficiently understand the issues that Hon. Mbarire and the Leader of the Majority Party addressed? Do they know what the life of a Member of Parliament means? I say this because in the 10th Parliament, I had the privilege of serving as a commissioner on the PSC. One of the most fundamental issues we had to grapple with at that time was whether a Member who serves for only one term of five years should qualify for pension or not. We had to invite actuarial science professionals to advise. When the figures were finally worked out, we found that it was impossible for a Member who serves for five years to qualify for pension. It means that at the end of my five years, I will take my gratuity and within two months, it is gone and I am back to being an unemployed good Kenyan.

Hon. Deputy Speaker, in the 10th Parliament, as we were working on legislation to accommodate county governments, some of the qualifications that we were to deal with, which came from the Office of the Attorney-General, was that for members to be appointed to several commissions, one of the disqualifications was having served as a Member of Parliament. It is as if serving in this House makes you are an ex-convict. We asked why a Member who served in this House should not serve in any commission. We had to fight hard to remove that

disqualification because we believe if you serve in this House for five years, you have gained sufficient experience for you to serve anywhere else in this world. What the Attorney-General at that time imagined was that if you have served here, you are unemployable. After five years, you leave the House and then what do you do?

When you talk about pensions of Members and members of staff, we look at what is due to their families if they are deceased, sick or involved in accidents. Members of staff and Members of Parliament die. If you die, what is your family or beneficiaries entitled to? These are some of the basic facts that Members of the Parliamentary Pensions Management Committee will have to deal with. That is why we need to have men and women who understand the life of Members of Parliament. Everyday in our constituencies and the Parliament's lounge, we come across former Members who wake up from wherever they live in Nairobi and all they can think about is to take a *matatu* to Parliament. They are miserable, but it is not out of their choices. They are miserable because they are unemployable. If they were professionals, their careers have gone down the drain. They are trying to start afresh.

I have come across former Members of Parliament who ask you to give them fare to go back home. It is as bad as that. Wherever I am, I keep on praying, "Dear God, please, do not let me get to that level when I leave this House because it is miserable." What we are discussing this morning to the Kenyan on the street out there is like we are looking at our own benefits and that is why both sides of the political divide of the House are united. It is not. I am pained that in the immediate past Motion for Adjournment, we failed to address the very fundamental issue which was: Why are the honourable men and women in this House unable to generate enough business for the House? Is it that we do not have the capacity to lead? What is it? It is because of the boycott. This means that the boycott out there has now got to the Floor of Parliament. We cannot generate sufficient work here because we are boycotting. That is success for the boycott.

As we talk about the boycott, let us look exactly at what the Parliamentary Pensions Management Committee will be handling. Here is a case where Members will have to go back to their constituencies. Indeed, it has been said that coming in here is very difficult, but getting out is very easy. It may not even have anything to do with how you perform either here or in the constituency. As a senior Member of the House, I want to tell my new colleagues that they must know how to balance their time, so that they spend sufficient time legislating in the House and with their constituents

Hon. Deputy Speaker, I know very able Members in the last Parliament who we served with in some committees. They were very effective as Committee Members and leaders, but they did not have time to attend to their constituents because they were busy in Parliament. As a result, they are not here with us. How do you measure the performance of a Member of Parliament? The media wants to measure our performance by how many times we speak, but they do not measure it by how often you look at your responsibilities at the constituency. It is also important that as we debate this issue, we look at how you can qualify for pension, if you are a first term. Balance your time sufficiently, so that you are here and there. If not, you will end up being a first term. You will take away your pension and then tomorrow, you are pecuniary again.

I support this Motion. If my colleagues, Hon. Dan Wanyama, Hon. Rehema Dida Jaldesa and Hon. Andrew Mwadime, are approved by the House, I want to urge them to get to this Committee with the responsibility of ensuring that when Members retire or die, as well as members of staff, their beneficiaries get what they are entitled to according to the law.

Thank you, Hon. Hon. Deputy Speaker.

Hon. Deputy Speaker: I will give the opportunity to a Member who has been top on the list for some time, but for reasons that I had given somebody from his close neighbourhood, I skipped him. That is Hon. Dawood, Member for North Imenti.

Hon. Dawood: Thank you, Hon. Deputy Speaker. I want to support this Motion of the Approval of Appointment of Members to the Parliamentary Pensions Management Committee.

From the outset, Hon. Dan Wanyama, Hon. Rehema, who is a first term, and Hon. Mwadime will do justice to this Committee. Like what Hon. Aluoch has just mentioned, I was at the Pensions Office the other day to look at what the first termers will get. When I looked at it, it worked out about less than Kshs4 million and it will be taxed. When you have been in this House for four or five years and whatever you get will be taxed, that is not right. I want the Committee to look at these benefits. They should not be taxed at all because you have been working for the people. When you go out there, like my colleagues have said, you are not employable.

The second bit would be to look at what Hon. Chachu Ganya wanted to bring in the last Parliament. I wanted to follow up the same, but Hon. Aluoch has alluded to it that first termers will not be given pensions. We need to work out a way because they can be elected to Parliament. They are not unelectable. They did what they did for the time. I believe they deserve to get pension even when they are first termers. I am a second term now and I qualify for pension, but that does not mean that we do not give first termers pension.

We need to see how we can raise gratuity together with the pensions. At the end of the term, a lot of the young Members of Parliament will go out there and may not be employable like it has been said. Even if you are outside and you are no longer a Member of Parliament, you are still expected to attend *Harambees* and contribute towards school fees. I believe one is still an Hon. Member. One does not stop being an Hon. Member because he or she is out of Parliament. We need to see how we can empower previous Members of Parliament. The Members who have been appointed to this Committee need to come up with ways of how we can make the pension scheme better together with gratuity, and bring the report to the House,

Hon. Deputy Speaker, I want to take this opportunity to pass my condolences to the family of Hon. M'Mbijiwe from South Imenti, Meru County, where I come from. He did a lot for South Imenti prior to Hon. Kiraitu Murungi. He is the one who started off the water irrigation schemes. That is why there are so many bananas there.

I would also like to pass my condolences and those of the people of North Imenti to the family of the late Governor of Nyeri, Hon. Wahome Gakuru and the people of Nyeri. We were with the late governor in Meru campaigning for the President recently. He had come to Meru and was jolly.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Let us have the Member for Loima, Hon. Lomorukai Ekamais.

Hon. Lomorukai: Thank you, Hon. Deputy Speaker for giving me this chance. The other day when I gave my Maiden Speech, I said that I have served in elective positions for a number of terms as a councillor and an MCA. I have served for three consecutive terms. Having studied the lives of my colleagues who lost elective positions in the past, I have noted that some of them lose their lives from the frustrations they get out there.

I support this Motion of approving three Members to the Parliamentary Pensions Management Committee. I know what it takes to lose in an election. I have also seen Members of this House from Turkana County who have lost elections die. It is not because they got old or because they lacked employment, but because of frustrations and lack of a pension scheme that would have enabled them to cope with situations out there.

I join my colleagues in supporting the passage of these Members who will deliberate on issues of Members' pension with seriousness so that Members of Parliament live decent lives even after politics.

I also join my fellow Kenyans and other Members of Parliament in conveying my condolences to the family of the late Governor of Nyeri County. I remember I met him once when we had an informal meeting with the Governor of Turkana County who is the Chairman of the Council of Governors. As a Member from Turkana and a Kenyan who has interacted with members from the Kikuyu community, it is prudent to pass our condolences, from Turkana, to the family of the late Governor of Nyeri.

I support this Motion.

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

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

The Temporary Deputy Speaker (Hon. Mariru): Let us have Dr. Makali Mulu, Member for Kitui Central.

Hon. Mulu: Hon. Temporary Deputy Speaker, thank you for this opportunity. Yesterday afternoon, I rose on a point of order related to this matter namely, the matter of our colleagues who lost in the elections. On the basis of that, from the outset, I support the appointment of Parliamentary Pensions Management Committee.

(Technical hitch)

The Temporary Deputy Speaker (Hon. Mariru): Order Member! I am told that the microphone is still not picking. Try the next one. I am sure that one will work.

Hon. Mulu: After this, I will move from this seat to another. On the basis of what I said yesterday, I support this Motion from the outset, on the appointment of Members to the Parliamentary Pensions Management Committee. Listening to the Leader of the Majority Party moving the Motion, I realised that the membership of the Committee includes civil servants and members of the Executive. We have five Members who will be representing the interests of Members of Parliament namely, the three who are listed here and the Speaker of the National Assembly and the Clerk of the National Assembly, who will sit in this Committee. That gives me a lot of encouragement because the interests of former Members of Parliament and those seated here will be championed during the deliberations of the Committee.

A lot has been said by speakers who have had the Floor before me relating to Members of Parliament who have left this House. We have been told that 106 Members of Parliament have sent their applications to be paid their pension. They have not been paid basically because this Committee is not in place. As a House, it is important we get it into place. My humble request is that when the Committee is approved by the House, they should sit immediately and clear the former Members of Parliament so that they can get their benefits. As they do that, I am happy that my friend, Hon. Mwandia, is a Member of the Committee. I served with him in the 11th Parliament and I know he is capable of championing the interests of Members of Parliament. Hon. Mwandia, Members of Parliament have been taken for a ride. For example, one Member who has just joined was lamenting that salaries have already been reduced. The work of this

Committee is to make sure that the interests of former Members of Parliament and the current ones is taken care of. This is not being selfish. Labour laws are clear that if you work and you are entitled to a gratuity, which is normally 31 per cent, when you conclude your contract, in organisations that practice best international practices, your final pay cheque is supposed to come together with your gratuity cheque, so that you do not waste time waiting for it. It will then help you as a former Member of Parliament to reorganise your life. These people want to start a new chapter in their lives, but their money is tied up here. It has been here for the last three months because this Committee was not in place. As we move forward, it would be important that we learn a number of lessons from what has happened. By the time we conclude our term as the 12th Parliament, we should be in a position to make sure that by the time one is not re-elected, his or her cheque is ready. That is very critical. That is why the new Members of this Committee need to start this process early enough.

The other thing is that I hear there is a debate in terms of whether they should earn pension or gratuity. The law is very clear. In a situation where you have lost an election, you get your gratuity. In addition to that, you get your pension contributions because you have been contributing. The law is very clear. The work of the five Members who will sit in this Committee on behalf of Members of Parliament is to make sure that the law is followed. However, as you follow the law, we should not lose track of the fact that once Members of Parliament leave this position, they cannot be employed in any other organisation on an 8.00 a.m. to 5.00 p.m. job. Therefore, Members should join the Committee and work as fast as possible to make sure that our colleagues get their money and are able to re-start their lives.

Those who believe in statistics like me know that when we were in the 11th Parliament, the talk about “70 per cent of sitting Members will go home” was a daily discussion. Every time we came here, we were reminded that 70 per cent of Members of Parliament would go home in the next general election. Each one of us believed that we could not be among them. So, it is like you are saying “70 per cent will go home, but I cannot be among them”. I wish to tell the new Members that it can be anybody as long as you are in this House. Please, be psychologically prepared that it can be you. The question is that if it is you, how would you want to be treated as a former Member of Parliament? If you are operating from that angle, then you realise that the likes of Hon. Mwandia and the other Members who are in that Committee will go an extra mile to make sure that the interests of Members of Parliament are fully addressed for posterity. I am very happy that this Committee is now in place. I indicated that I will be making a small presentation to the Committee in terms of some details which I do not want to say here to champion the interests of the Members.

Hon. Temporary Deputy Speaker, I cannot conclude without sending my condolences to the people of Nyeri for the demise of my colleague. Dr. Gakuru is my professional colleague. I have known him for some time since he was at The Vision 2030. I last met him when Archbishop Muheria of the Catholic Church was transferred from Kitui to Nyeri County. At that time, we interacted. Nyeri has lost a great man. We pray to the Lord that they continue to believe in the Lord. The family should trust that God will pave way for them to prepare so that the plans that God has for them can be fulfilled.

With those remarks, I support.

The Temporary Deputy Speaker (Hon. Mariru): Hon. Kubai Iringo.

Hon. Kubai Iringo: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this Motion. From the outset, I support the Motion.

Hon. (Ms.) Katana: On a point of order, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Mariru): What is your point of order?

Hon. (Ms.) Katana: Asante, Bw. Naibu Spika wa Muda. Ninaomba nikukumbushe kwamba katika Bunge hili kuna jinsia mbili na sisi sote tuko hapa kama Wabunge. Ninawasihi macho yenu yawe yanaweza kuangazia jinsia ya kike pia.

Asante.

The Temporary Deputy Speaker (Hon. Mariru): That is a fair comment, and it is noted. However, there is also the list of the Members who have placed requests in order to speak. Your point is fair enough.

Hon. Kubai, you have the Floor.

Hon. Kubai Iringo: Thank you, Hon. Temporary Deputy Speaker, for your indulgence. I support this Motion, which is long overdue.

I thank the Speaker of the National Assembly and the Leader of the Majority Party for moving fast on this issue. As I speak, many Members who were here during the last Parliament are not here with us today. I believe come 2022, a similar axe will fall on many of us. Those who are lucky to have come for the second term like me should be feeling that those who were here with us in the last Parliament should be given a chance to start life out there.

Naturally, the issue of pensions in this country is a thorn in the flesh. It is a hard nut to crack, especially when somebody retires from employment. When you go out there, the people who are supposed to process your dues so that, at least, life can continue, start dragging their feet as if they will never retire. Apart from Members of Parliament, if you look at teachers and other public servants and many others who have been in employment, there are those who spend five to 10 years without receiving their pensions. That is morally unfair. It is injustice to the senior citizens. Therefore, I am appealing to the Pensions Fund to ensure that when public servants retire, they get their pension. Such persons are delicate and vulnerable to so many things. Therefore, processing the dues must be done as fast as possible. We have had cases where people passed on before they see their pension. Their spouses and children start following the same. Maybe, at the end of the day, they lose everything or get peanuts.

Equally important, this august House should serve by example by ensuring that when Members leave this House, they get their dues as soon as possible. Therefore, I pray that Hon. Dan Wanyama, who is my friend; Hon. Rehema Dida Jaldesa and Hon. Andrew Mwadime, who is also my friend, will take this noble job seriously. When they sit with officers from the National Treasury, the Central Bank of Kenya (CBK) and the Pensions Fund, they should ensure that they remove any bottlenecks that may be introduced, especially by the National Treasury. The National Treasury always puts bottlenecks to ensure that they delay disbursement of pension funds or they disburse the money in piecemeal. Sometimes they just try to tax the money. Therefore, the colleagues we are sending there should be the eyes of this House. They should be looking at the interests of our colleagues. They should not be intimidated or coerced into letting Members get a raw deal. We want full payment and good support.

Even if this is not in this Motion, we need to ensure that first-timers access pension. We tried to do it in the 11th Parliament, but the Pensions Fund became so difficult. This issue is worth revisiting. We can revisit it because we are losing around 70 per cent of our colleagues after every Parliament. The 70 per cent of the membership of the House who fail to make it back to the House should also be compensated by being given a lumpsum payment. Many of them are going to retire in their rural homes and start small businesses or other small-scale activities for their survival. If there is a continuous payment, it can be tailored such that one gets 50 per cent

lumpsum and then the balance is catapulted slowly so that one can get something at the end of every month, just like the second and the third-timers will be getting.

Again, the money is supposed to be paid because we have been investing it. Also, first-timers should get some money from the Pensions Fund or from the Government. Currently, first-timers are only paid their contributions. That is not very encouraging. Again, I appeal to the officers who are supposed to do this, especially the Members we are appointing to the Committee to look into this matter critically. As one of my colleagues mentioned here, once we leave this House, we become unemployable. Some of us may not have any other business. Therefore, once you are out there, the people who used to run after you day in, day out and call you every other time will start looking down upon you. You will receive no calls. You will not get any visitors. You become some kind of a villain despite the fact that you are currently adored as a very senior person. You are somebody who had an entourage of a bodyguard, a driver and others officers. Therefore, we should, at least, assist our colleagues to maintain the same standards of life.

Without much ado, let me take this opportunity to pass my condolences to the family of Hon. Kabeere M'Mbijiwe who comes from Meru County where I also come from. He was a Member of Parliament for many years and a Cabinet Minister in the previous Government. Kabeere M'Mbijiwe is a man I knew. He has a very large chunk of land in my constituency and therefore, I knew him well.

On the same token, let me pass my condolences to the people of Nyeri, the family of Governor Wahome Gakuru, who passed on yesterday. I tell the family that the people of Meru and Igembe Central are with them in prayer.

I support.

The Temporary Deputy Speaker (Hon. Mariru): Let us have Hon. Wanjiru Kihara from Naivasha.

Hon. (Ms.) Kihara: Thank you very much Hon. Temporary Deputy Speaker for giving me this chance to contribute to this very important Motion. I have served in this House for two terms. I have been out of Parliament for 10 years and I know how difficult it has been.

When I left Parliament, I immediately lodged a petition. Whatever little I had got diminished very fast. From there, I know what happens. I may not know the persons individually, but there is a job to be done. It is expected that having come from Parliament, they will do a good job.

Like Hon. Aluoch said, you are not employable when you leave Parliament. Those of us who are almost bankrupt in business, do not know where to start. I met a former Member whom I was with here two days ago in Naivasha and she really pleaded with me that even first-timers should be considered for pension. First, it is because we go through very rigorous campaigns where you spend all your money. It is all finished. By the time the campaigns are over and you are not back here, most of us end up in very heavy debt. Why I thank the people of Naivasha is that, maybe, I will now be able to pay the debts I have.

All said and done, some of us have children, especially the youthful Members. They need to continue the education of their children in the same schools. It is not fair for a Member to transfer his or her children from a prestigious school because he or she has been sent out of Parliament. It is in the interest of all the Members to live a decent life after having served the nation in the capacity of a Member of Parliament. I support the Motion.

I also send my condolences to Hon. Gakuru's family. I did not know him personally, but I met him the very first and last time in Sagana. I spoke to him and told him: "You are my

Governor number one because I was born in Nyeri". He said he has heard I come from Nyeri. We interacted. From the many good things that have been said about him, we know the pain of the people of Nyeri, having lost their former governor at the tail end of his first term and now in the very first months of the other's first term. I wish Dr. Gakuru's family comfort and God's blessings. I wish them comfort when there is a young man doing his Kenya Certificate of Secondary Education (KCSE) exams. Let us all pray for the family and give them comfort.

The Temporary Deputy Speaker (Hon. Mariru): Let us have Hon. Pukose Robert, Member for Endebess.

Hon. (Dr.) Pukose: Thank you, Hon. Temporary Deputy Speaker for allowing me to contribute to this Motion.

From the outset, I want to support the appointment of the three Members to the Pensions Management Committee. There should not be any vacuum. As a House, we will need to relook at the issue of a vacuum such that Members appointed to a Pensions Committee should operate until the next appointment. This is because that vacuum makes it very difficult for business to be transacted.

One of the other areas we also do not have in this is a feedback mechanism. How do we get feedback? Once we appoint the three Members to that Committee, will they bring a report in this House? How do we get to know that the work they are transacting is giving us any headway in addressing the issue of pensions of Members? A mechanism should be looked into so that we are able to get feedback. This House has been fond of approving Members, for example, to the Parliamentary Service Commission (PSC) and after we have done that, we have no way of even assessing whether they are addressing our issues or they have just gone there and are busy addressing their personal issues.

When you appoint Members to a commission or to any other fund, it is for the benefit of the House. If we appoint Members to the PSC, it is for the benefit and welfare of Members. But look at how issues are coming up now; Members looking at how their issues are being addressed. Look at the issue of mileage, for example, even my chief is given mileage and a motorcycle to perform his work. How come a Member of Parliament has to get his mileage through a payslip and it has to be deducted. It has to be taxed. He had to pay taxes for fuel and all these other issues. What is the role of the Members we have appointed to those commissions? These are the issues.

I was at home the other day and I met former councillors. Some of them served for many years, as the Member for Loima, Hon. Ekamais, has put it. He has been a councillor. He has also been a member of county assembly (MCA). If you look at the issue of former councillors, there is a Bill which was lying in the Senate during the last Parliament and it never came to this House for the whole term of the Senate. It is a Bill that needs to address the issue of former councillors. When you go home, you find a majority of them are just beggars in the streets. They are having it very rough. These are people who have served this country with distinction.

As much as we are also looking at our pensions, we need to address more and look at Kenyans who have served this country with distinction and how their issues of pension can be addressed. When most of us go to Mombasa for tours, the people we meet there are European pensioners who have accumulated a lot. They get their pension and are now touring the world with their spouses. They move around to enjoy what they saved during their time. But how many of our people can afford that or go for that kind of tourism?

So, these are the issues that this House has to live with. This House has to be challenged. We need to address these issues. This is the House that sits to appropriate funds to all the other

arms of the Government. This is the House that even approves money for the Judiciary. Once money is given to the Judiciary it does not go back to the Treasury. The PSC does not have any fund. Once money comes here, at the lapse of the financial year, it goes back. How comes there is no Parliamentary Service Fund for Members of Parliament? These are the issues we will need to address as a House, this term. This House must live up to its expectations.

With those few remarks, I support. Thank you, Hon. Speaker.

The Temporary Deputy Speaker (Hon. Mariru): Let us now cross to this other side. Hon. Mwale Tindi, Member for Butere.

Hon. Mwale: Ahsante Naibu Spika wa Muda, kwa kunipatia nafasi ili nichangie Hoja hii ya kupitisha majina ya wanakamati ambao watatusaidia kama Wabunge katika malipo baada ya kustaafu.

Kwanza kabisa, ningependa kusema kuwa hili jambo limechelewa kidogo kwa sababu kuna wenzetu ambao walipoteza viti vyao na wanateseka kule nje. Kwa hivyo, sina pingamizi lolote. Naunga mkono ili majina haya yalitishwe. Siwajui waheshimiwa hao kwa kukutana nao, lakini naamini kwamba, wale wamechagua majina hayo wanawajua na wanajua kwamba watatekeleza majukumu yao kwa njia ambayo itafaidi waheshimiwa.

Katika hili Bunge, wale ambao tumekuwa kwa mara ya kwanza tumefika karibu asilimia 60. Tunaambiwa kwamba kurudi hapa ni vigumu sana. Tungeomba sana haya mambo ya malipo baada ya kustaafu ianze baada ya muhula wa kwanza wala siyo baada muhula wa pili. Ianze baada ya Mbunge amefanya kazi katika muhula wa kwanza.

Jambo lingine ni kwamba, hakuna haja ya kuita mtu Mheshimiwa na unamnyima malipo baada ya kustaafu halafu anaanza kuzunguka katika Bunge kuomba hayo malipo. Kama mtu ni mheshimiwa basi apewe heshima yake. Kama hajafaulu katika kura, apewe malipo yake ya baada kustaafu na mshahara wake wa mwisho. Jambo la waheshimiwa kuja na kuanza kuzunguka hapa si zuri.

Jambo hili kuhusu malipo baada ya kustaafu halifai tu kuongelewa Bungeni. Hii ni shida ambayo kila Mkenya ako nayo. Nikirudi katika eneo langu la Bunge la Butere, niko na wale watu waliostaafu na wanauliza kwa nini Serikali haijawalipa malipo yao baada ya kustaafu. Nikienda katika hiyo ofisi naambiwa nitoe stakabadhi nyingi. Ningependa kusihi Serikali na hii kamati, malipo baada ya kustaafu yachukuwe muda mfupi kutayarishwa. Mambo ya kuzungushwa huku na huku haifai kabisa katika nchi yetu ya Kenya.

Nikimalizia, ningependa kutuma risala za rambirambi kwa familia ya Gavana Wahome Gakuru aliyetuacha. Nilimjua kama rafiki. Tumejuana kidogo. Angebadilisha maisha ya Wanyeri. Kwa hayo machache, ningependa kuunga mkono Hoja hii inayopitisha majina ya waheshimiwa watakaounda kamati ya kushughulikia malipo ya baada ya kustaafu.

Ahsanteni.

The Temporary Deputy Speaker (Hon. Mariru): Hon. Lodepe, Member for Turkana Central.

Hon. Nakara: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to what Hon. Members have said. I have no doubt in the three Members that we have appointed. I know two of them and I believe that they are going to represent us well despite the fact that the Government side may dictate some terms. So, we want the Members to stand their ground to represent Members of Parliament in that committee.

This is a noble job. To be called a Member of Parliament is noble. You represent the people and tackle issues that affect them. We are here to represent people who cannot talk for themselves. We legislate laws that can govern this country. It is a good job. We also oversee to

ensure that the money that is given to public institutions is used well. However, when you leave this House, that honourable name becomes a curse in your life. You will not get a job anywhere. You become a threat to the public and the Non-Governmental Organisations (NGOs). You are dumped in the village. The pension that we are talking about here, I agree with the Members who have spoken that it is better to start with the first term. One spends a lot of money and even after five years, one cannot recover the money he or she used during campaigns.

The welfare of Members after they leave this House always gets worse. Some of them die because of lack of a medical cover. As we think about pension, we want to challenge the PSC to ensure, that that scheme is extended to Members once they leave Parliament. We also need to agree that even the amount that is contributed by the Government, plus the contribution from Members' salaries at the end of 10 years makes a pension that is still low. After deductions, we get peanuts. The way the public and the media judge Members by assuming we only work for two or three days is wrong. We are normally in this House for three days. After these sessions, we go to the offices of Cabinet Secretaries to get opportunities for our people. When you get back to the office, you find a queue of people seeking your services. Therefore, people should not judge Hon. Members based on the three days they work in a week. We must judge a Member of Parliament, in and out of this House, by their performance. If we are only going to pay Members for the three days they work in this House, that would be wrong. We also work outside this House. We always look for other opportunities and ways to help and improve the lives of our people. By giving that service, we are working. We are called upon when our constituents are sick and even when some get involved in accidents. We are always ready to respond in one way or the other. So, let us see how we can cater for the welfare of Members of this Hon. House.

The other issue is that Members of Parliament get divided along political affiliations. Whenever we have such kind of issues, I suggest that we play as a team. Such issues affect all of us. We are still going back to what happened to us courtesy of the Sarah Serem-led Commission. When we came here, we used to get car grants. That assisted some Members who had no money to buy cars for utility. Some Members in this Parliament still use private taxis to go home. It is shameful to take away the car grant from Members. We should have it back so that whoever comes in this House does not get sympathy from the President, the way he did to an Hon. Member from Meru. The President bought a car for a Member because he is junior or because he has no money. We are entitled to privileges in this House. Whether you are small, big, connected or not connected, a car grant should be for everybody. Now that the President has bought a car for one Member, what about the rest of us? Let us make a car grant a privilege for everybody, not for the chosen few or the connected few. The issue of the car grant must come back to help the new Members to take off instead of using taxis. One can get involved in an accident in this town. I am better because I am here for the second term, but there are some Members who have no vehicles. They are still using taxis.

As I conclude, I want to say that those who have been appointed should represent this House honourably. They must stick to the principles of making the welfare of other Members good. They should not get bribed or given some things and then leave other Members to suffer. They should make sure they are there to represent the other Members of Parliament.

Finally, on behalf of Turkana Central and Turkana County, I want to send my condolences to the family of the late Governor of Nyeri and the people of Nyeri for losing a technocrat who wanted to change the life of Nyeri people. I read his background and vision for the county. I felt Nyeri people have lost a good man.

With those few remarks, I support. Thank you.

The Temporary Deputy Speaker (Hon. Mariru): Hon. Members, you will still have a few more chances before I call the Mover to reply. Shall we have Hon. Shaban, the Member for Taveta?

Hon. (Dr.) Shaban: Thank you, Hon. Temporary Deputy Speaker. First of all, I support this Motion on the membership of the Parliamentary Pensions Management Committee. The Members, namely, Hon. Dan Wanyama, Andrew Mwadime and Rehema Jaldesa, will do a good job. At the moment, we require a lot of things to be done, considering the new issues which have been put in place and including how our pension is being administered. I want to support that these Members have quite a bit of work to do and they are going to do a lot of work for the 12th Parliament. They are going to do more especially for the Parliamentarians who have been here in the past and who are on recess out there, because it takes time. Sometimes you stay out for a while and then you come back here. Some of us have been lucky to be elected several times, but again there comes a time when the constituents would give you a break. As you wait outside there, you would want to know what happens when you are supposed to be receiving your pension and enjoying what you had contributed and what the Government has contributed towards your pension scheme.

Pensions all over Kenya have had problems over the years. We want ours to be well streamlined. Being a lawmakers' House, we want to see things done properly, on time and without people suffering. I hate to see Members running around when they have problems and their issues are not well taken care of, more so, their pension.

I also want to mention that I heard a colleague talking of a Member who was given a gift by the President. In Kiswahili, there is a saying that "Bahati ya mwenzio usilalie mlango wazi." That was a gift from the President and it does not stop us from discussing matters concerning the welfare of Members. It is only that the President cannot give things quietly. It is usually publicized.

I want to ask these Members, once we approve them to the Committee, and I know we are approving them, they should immediately swing into action and sit down and look at the welfare of Members. They should make sure that this pension is administered accordingly and Members are not going to suffer out there unnecessarily.

Hon. Temporary Deputy Speaker, I beg to support.

The Temporary Deputy Speaker (Hon. Mariru): Shall we have Hon. Mutunga Kanyuithia of Tigania West?

Hon. Mutunga: Thank you, Hon. Temporary Deputy Speaker, for the opportunity to contribute to this Motion. Before I support the Motion, because that is what I stood to do, I would like to first of all condole with the family, friends and the people of Nyeri following the loss of their governor, who was really a prominent Kenyan, who died yesterday. I would also like to join the other Members of Parliament as well as the people of Meru to condole with the family of the late Hon. M'Mbijiwe who is an icon on development within the Meru region. I would also like to take this opportunity to condole with the residents of Tigania West Constituency who have lost their property and lives of loved ones due to the rains that are going on and floods in the area.

As a constituency, we are experiencing difficulties in accessing support from the Government and we would like to know exactly why we should have difficulties, even from NGOs like the Red Cross, who have been supporting people in other areas. I am wondering whether Tigania West is not in Kenya or whether we are not supposed to be regarded or

supported like other Kenyans. Two days ago, several families lost everything they had. We even had some people dying. And after reporting this matter, up to now, no action has been taken by the Government. We would like to know exactly what we should therefore do, now that we are not even getting the necessary support from the Government.

I would also like to reiterate that what is happening on social media is likely to break this country into pieces. Even if we have differences, we should not bring them to such an extent that we wish people death. What happened yesterday is very unfair. The kind of comments that were all over social media are unfair. We would like this country to be held together especially in respect of humanity.

I support the Motion in the sense that it is coming at a time when we all know who a Member of Parliament really is. In my own definition, I am a first-timer in this Parliament. This is the first time I am being in Parliament, but I have collected a few issues concerning who really a Member of Parliament is to the public. I have been a consultant working for many companies. Even payment, let me be very clear, is an issue when you are a Member of Parliament, for the work you have done, especially if you do the work when you are already in the House. I think we need a committee of this House to destigmatise parliamentarians. I think parliamentarians are stigmatised in this country. First of all, you are not regarded as an equal professional when you go out there. That is not right. So, when it comes to pension, the Members, irrespective of the names are equal to the task. They need to be given opportunity to do their work.

Us, as a House, should also interact with them. I do not know what mechanism we shall use, but there should be a mechanism for us to interact with them once or so often, so that we can inform them or guide them on what we need to be done.

I would also like the issue of pension to be taken seriously. Pensioners are mainly senior citizens. You realise what happens to pensioners. They suffer a great deal. Most of the cases I am dealing with in my constituency require intervention for pensioners to be paid, especially teachers. We need an oversight committee in this House to oversee what happens in the management of pension funds for the various other interested parties out there.

I support the Motion. Thank you.

The Temporary Deputy Speaker (Hon. Mariru): Let us have Hon. Kimani Kuria, the Member for Molo.

Hon. Kimani: Thank you, Hon. Deputy Speaker for giving me a chance to contribute to this Motion. First, on behalf of the people of Molo Constituency, I would like to pass our heartfelt condolences to the great people of Nyeri for the loss of a great economist and the second governor of Nyeri, His Excellency Dr. Gakuru.

I would also like to send condolences for the loss of Hon. M'Mbijiwe. It also comes a time when we are still mourning the death of five young people who crashed into Lake Nakuru. Two of the bodies have been retrieved, but the other three bodies have not yet been retrieved. It seems even the rescue teams are giving up. It also came at a time when we had a very bad accident near my home area at a place called Salgaa, where we lost several people. So, our prayers go to all those families that are affected. I do not want to belabour the point by saying what several Members have said about the hatred that is being spread on social media especially where these deaths are concerned. Before you start talking ill of that person who has died, remember that person is still someone's husband, wife and child. It does not matter which tribe or which part of the political divide they come from, but they are all Kenyans. When someone dies, it is sad for everyone involved. I would urge especially the young people like myself to exercise control and know where our political competition ends and humanity continues. To add

to this debate, I urge our Government agencies to put an eye on this permanent eye witness who is in every bad thing that is happening in this country. We should know who he is and what his interest is.

On the debate on the Pensions Management Committee, I am particularly impressed because the three Members that have been nominated to the Committee, in addition to taking consideration of gender, there is a new Member, Hon. Rehema. When most of us are talking about many Members of Parliament not getting a second term and all that, could it be because this Assembly does not invest in young legislators? I am talking about first-time Members in this House. When there are these appointments, I have noticed that most of them are given to those who have served probably one or more terms. We need to be given a chance also to serve this House. I am particularly impressed about Hon. Rehema being a new Member of Parliament being given a chance to serve. I agree with what has been said about matters of pension. When the time to retire comes, it is a time to chase your passion and not pension. So, this Committee should make sure that Members are given a decent pension on time. As an accountant and an economist, I believe in the time value of money. If you give me money in December that I was supposed to get in August, there is so much that I would have foregone. So, it is very important that the Committee expedites the process and makes sure that this pension is not just paid, but most importantly, it is paid on time. This is also in relation to all the privileges that we are talking about. If something is forthcoming, let it come early enough. It might come too late. I do not want to say more than that. However, what is supposed to be given, let it be on time. Again, the time value of money is very crucial.

About access to pension when someone hits 45 years of age, some of us are joining Parliament before we even hit 30 years. So, if you tell us that we are only going to access this money after 45 years, you are limiting a lot of investments that we could have made during this time and especially, the Member who is talking about my colleague, the young Member who was given a motor vehicle. If you are talking about priority in terms of speaking about those who have served here before, and if you are talking about privileges when being awarded offices in terms of those who have served longer, why not consider this young man who does not have a car, so that he gets one now? It should not be that when you want privileges on the other side, we look at you, but when it is us asking for something, you start being discriminative.

Last but not least, as a House, we are mandated to make laws and to serve this country. I hope that every appointment that anyone gets, they will use it for the glory of God and for the betterment of our country.

I support this Motion.

The Temporary Deputy Speaker (Hon. Mariru): Very well. Shall we now have Hon. Duale Dahir, the Member for Dadaab.

Hon. M.D. Duale: Thank you, very much Hon. Temporary Deputy Speaker for giving me a chance to contribute to this Motion. Before I do so, first I want to condole with the family of Dr. Wahome Gakuru, the Nyeri Governor, who passed on yesterday in a tragic road accident. We condole with the people of Nyeri. I do this on my own behalf, the people of Dadaab and Garissa County as a whole.

On the issue of this Motion, from the outset, I support it. Personally, I know Hon. Daniel Wanyama, Hon. Rehema Dida and Hon. Mwadime. I know that the three Members will do a good job. However, to be a Member of Parliament is a public calling. I always say that the work of a parliamentarian is much wider than what is stated as our roles in the Constitution, namely, representation, oversight and legislation. Everything going on in a constituency is the work of a

Member which include funerals and weddings. When Members lose in an election, most of them are literally reduced to paupers. I have seen Members of Parliament who are really desperate. Sometimes they do not even have medical covers and have spent their lifetime savings trying to retain their seats during elections. The moment they lose their seats, they are forgotten. As for the pension scheme, Members who are appointed should swing into action immediately and start their work, so that those who do not come back to this House for whatever reason or those who may have lost their lives because of illness or other reasons, their benefits should be given without delay.

The second thing I want to say and has been said by previous speakers is that it is difficult to get employment once one has served as a Member of Parliament. It is worse for the young Members. This is because our work is a public calling and very intensive. This is why I believe Members should access pension. The amount of money given as gratuity is very small. The new parliamentarians will realise that the work of a Member is very difficult. The SRC has actually given the Members of Parliament a raw deal. I notice that all these things happen immediately we go for elections and new Members have come in. For example, it is not fair when mileage is taxed. Mileage is normally used as allowances for drivers and for fuel. When you buy fuel, you pay tax. If you buy any other goods, you pay taxes yet your salary again is taxed. I find this very unfair.

Even car grants have not been given up to now and with the kind of inflation in the country--- If you look for a four-wheel drive vehicle in the market, the cheapest you will find ranges between Kshs7 to Kshs10 million. Even the Kshs5 million we are given as car grant is far from the actual price which is again being disputed. Sometimes I wonder. Even though we are called Hon. Members and we are supposed to be bosses of civil servants, civil servants have a much better deal. Principal Secretaries (PSs) and Cabinet Secretaries (CSs) have fleets of vehicles fuelled and driven yet for Parliamentarians the best we can buy are second hand vehicles which do not last long. In the course of serving as parliamentarians, we do not make savings. The public expect us to do everything for them. When most Members lose their seats, they end up becoming paupers. My take is that Members who have been appointed to this Committee should take up this job and come up with a plan to have pension for all Members of Parliament paid on time. They should also see how gratuity can be increased to something reasonable that can make somebody do some meaningful activity after serving in Parliament.

With those many remarks, thank you, Hon. Temporary Deputy Speaker for giving me this chance.

The Temporary Deputy Speaker (Hon. Mariru): Hon. Members, I appreciate that you have very specific interests on this Motion and agenda but we have 18 requests. I am afraid that because of time constraint, we may have to call upon the Mover to reply so that we move to the next agenda.

I call upon Hon. Cecily Mbarire to reply

Hon. (Ms.) Mbarire: Thank you, Hon. Temporary Deputy Speaker. I beg to reply but before I do so, let me appreciate the interest that this Motion has had this morning.

It just shows how aware we are of the challenges that MPs face when they leave this House and, hence, the need for us to cushion them as required by law. As we do so, may we ask that the Members so nominated do their work diligently, effectively and efficiently, so that the Members who have not made it back to this House may move on with their lives. There is no doubt that the interest that this Motion has had this morning shows these particular Members that

they are not getting into an easy job. They are getting into something that is of interest to all of us. We would want to set pace and standards that will benefit all pension schemes in the country.

With those few remarks, I beg to move.

The Temporary Deputy Speaker (Hon. Mariru): Hon. Members, the Question will be put some other time.

Next Order.

MOTION

ADOPTION OF SESSIONAL PAPER ON NATIONAL URBAN DEVELOPMENT POLICY

Hon. (Ms.) Mbarire: Hon. Temporary Deputy Speaker, I beg to move the following Motion:

THAT, this House adopts Sessional Paper No.6 of 2016 on the National Urban Development Policy, laid on the Table of the House on Wednesday, 11th October, 2017.

Kenya is rapidly urbanising with over a third of its population residing in urban areas. The devolved system of governance with the establishment of county headquarters has also triggered increased urbanisation. The anticipated demographic, social and economic changes brought about by devolution and rapid urbanisation called for a national urban development policy. The high rate of urbanization in the country has a profound impact on the way people live, work, socialise and do business, and it continues to exert pressure on the Government to meet the needs of growing urban populations. Several initiatives have indicated that managing urban development is a national priority.

Some of the challenges facing urban areas include inadequate infrastructure and services, poor housing, environmental degradation, high rate of unemployment, increased prevalence of urban poverty and inequality.

It is, therefore, important that we begin to look for ways of facing those challenges and mitigating them. This is because urban areas contribute to a great extent to the growth of our economy. Despite those challenges, we know that urban areas continue to play a critical role in national development and contribute about 70 per cent of the Gross Domestic Product (GDP). It is, therefore, important to harness the potential of urbanisation as a vehicle for economic development while addressing the challenges in urban centers as highlighted in Kenya Vision 2030.

The overall goal of the National Urban Development Policy is to guide urbanisation by providing a framework for sustainable urban development in Kenya. The country aspires to have secure, well governed, competitive and sustainable urban areas that contribute to the realisation of the broader national development goals articulated in the Constitution and in Kenya's Vision 2030. Article 166(1) allows the State to regulate, among other practices, land use planning.

The specific objectives of the policy include promoting effective governance and management of urban areas, building efficient financial management systems in urban areas, creating systems for vibrant economic growth and development in urban areas, mainstreaming spatial planning to drive sustainable urban development, improving access to land of the right quality for urban development, promoting urban environmental planning and management as well as climate change adaptation in urban areas; promoting the development of requisite infrastructure and services in urban areas, supporting development of affordable housing of

acceptable quality in urban areas; and mainstreaming of urban safety, security and disaster risk management in urban planning and development.

The guiding principles of the policy include participatory urban planning development and governance, equity in access to resources and opportunities, efficiency in resource use and service provision; socio-economic and environmental sustainability and inclusivity – that is cities and urban areas that cater for all segments of urban residents, including marginalised and vulnerable groups. Other guiding principles include good governance and connectivity – that is, urban areas that have synergies amongst the counties, national and global urban system – in order to ensure liveability of urban areas so that they can have good infrastructure and services that secure clean and green energy.

In conclusion, Kenyan urbanisation is dominated by five large urban areas, namely; Nairobi, Mombasa, Kisumu Nakuru and Eldoret. The above five urban centers account for the bulk of urban population and around 70 per cent of GDP, raising the country's productivity, concentration of economies and increasing household welfare through social mobility and human development. It is secondary towns that are growing more rapidly, hence the need for urgent intervention and need for the National Urban Development Policy to harness the potential benefits of urbanisation and mitigate its negative consequences. In this regard, I request that this House adopts Sessional Paper No.6 of 2016 on the National Urban Development Policy.

With those remarks, I beg to move and call upon Hon. Maoka Maore to second this Motion.

Hon. Maore: Hon Temporary Deputy Speaker, I beg to second the Motion.

This is a very important Policy Paper. Note that we have nearly a third of our population living in urban areas. That is where we are focusing our development. By the year 2030, 50 per cent of our population will be in urban centers. We are talking of 35 million to 40 million people.

If we do not plan for it, we will be planning to fail. Note that, in many of the developed countries, they plan well and emphasize on emphasis on urbanization and industrialization. When we focus on urbanisation and industrialisation simultaneously we move a step forward. By the time we are talking about urbanisation, we are talking of a serious new way of life, new infrastructure and a new culture. I know many of us had not envisaged that in 100 years Kajiado would be part of Nairobi and the Maasai lifestyle would be extinct because there was no planning for it. If we had, we would have introduced our inhabitants to certain adjustments about their lifestyles.

However, now we have an opportunity. By passing this Policy Paper today, we are asking Government mechanisms and institutions to focus on how life will be in the next, say, 40 years when the majority of our population will not be living in the rural areas. I know urbanisation has been the citadel of civilizations all over the world, but here, about 30 years ago, we started focusing on rural development. In rural development, the emphasis is on clusters. Wherever people live, they should get all the amenities found in an urban area. However, in our land tenure system we do not have enough land. All the arable land should have been depopulated so that we grow enough food to feed the urban population. They need food, housing and water. With regard to infrastructure, we are inviting the Government planners to harmonize plans with our new county system so that we can have proper planning.

People in other countries, when they die, they are buried in a public cemetery and mostly in an urban centre where graves are protected. Here we have a culture whereby people are buried anywhere. In every farm in this country there is a graveyard and yet that is wrong. Since it is our culture, for now, we have to live with it but as we move into urbanization, we need to realize that

we should change to a new way of life, culture and thinking. I want to ask this House to be part of this history. To be in a transitory mood is wrong. Many of the Nairobi planners think about their homes; they do not think they will live here in Nairobi and yet many of them end up spending 80 per cent of their lifetime in Nairobi. We need ambulance lanes and *matatus* phased out so that we can have a mass transit system. Indeed, that is how we can move 30 million people.

Hon. Temporary Deputy Speaker, with those words, I beg to support this Motion. Thank you.

The Temporary Deputy Speaker (Hon. Mariru): Order, Hon. Members!

(Question proposed)

Let us have Hon. Oundo Ojiambo, Member for Funyula.

Hon. (Dr.) Oundo: Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute to this Motion. Indeed, urbanization, as many have said, is the precursor for development. No country in this world has developed without urbanisation and I think the policy on urban development is critical because urbanisation goes hand in hand with development even though urbanisation as a concept is much wider as opposed to mere development. Indeed, when you look at the demographic statics in this country you realize that there has been rapid urbanisation and it is bound to continue. With the dwindling fortunes and opportunities in the rural areas, it is obvious that most young people will harbor the need to come to urban areas so that they exploit the opportunities.

I hope this policy will enable us address the challenges we have in the primate and secondary urban centres in this country. I also hope that in the fullness of time we will start a deliberate process of decentralisation so that we minimise the pressure we have placed on primate cities like Nairobi, Mombasa, Nakuru, Kisumu and Eldoret so that the facilities that are available in these cities can as well be available in the smaller cities. This will enable the young people seeking urban life to live in those urban areas. Of course, we have challenges and I do believe the managers in charge of urban management should be in a position to manage those issues.

The issue of slums in urban areas is and has been a worrying trend for many years. We have implemented programmes that aim at reducing slums but it seems we have not been able to solve the problem. Normally whenever there is political instability many of the young people who participate in demos and riots are the ones from the low-cost areas. This is an indication that they are a forgotten lot. Our governments do not seem to place a lot of premium on the welfare of the poor people or the low-income people. I suggest that there must be a deliberate engagement with the people in charge to make sure that we address the issue of infrastructure development, employment and access to social services in all urban areas.

Hon. Temporary Deputy Speaker, with those few remarks, I beg to support the adoption of the Motion.

The Temporary Deputy Speaker (Hon. Mariru): We may now have the Member for Buuri.

Hon. Rindikiri: Thank you, Hon. Temporary Deputy Speaker. The Motion before us is very critical in finding the way forward. The national Government focusses on the big five cities which have been mentioned, that is, Nakuru, Eldoret, Kisumu, Mombasa and Nairobi. Right now, we are all focusing on rural development and my constituency needs to be in that focus. It

means that we need to put more emphasis on those urban areas which are developing as district headquarters or sub-county headquarters in our constituencies. These are the focal points going forward. Therefore, we need to have a policy framework which targets these urban centres in our constituencies.

For example, in my constituency we now have two district headquarters and they are not covered anywhere in the national Government framework. I have a district headquarters whose infrastructure is in a terrible mess. It is a health hazard. There is a slum that is ever growing large because of poor planning. Insecurity abounds and there is lack of proper infrastructure and other important facilities. It is high time we came up with an urban policy which would address our issues in the future. It is very important to realise that even at the county level their focus will not necessarily be on the mushrooming urban centres but on the county headquarters.

Therefore, what we require now is to have a national outlook that in as much as they are addressing the county headquarters, we are addressing the constituency headquarters. It does not make sense when the national Government comes up and tells me: "Honourable Member of Parliament for Buuri, we have now been allocated two district headquarters and there is no infrastructure." It beats the logic.

So, I believe that going forward when we put this policy into action, we will now start touching up to the grassroots. Therefore, I support the adoption of the Sessional Paper as presented to this National Assembly.

The Temporary Deputy Speaker (Hon. Mariru): Let us have Hon. Kamene Joyce, Member for Machakos County.

Hon. (Ms.) Kamene: Hon. Temporary Deputy Speaker, let me take this opportunity to support the Motion in front of us. As we know, urbanisation is the way to go and at the moment, the kind of structures that we have in our urban areas leave a lot to be desired. There is need to have clear policies on urbanisation.

As I speak on this, I happen to be residing along Mavoko where we have Mlolongo Town. This is a town that has just mushroomed in the last few years and it is pathetic to see the kind of services people in that area are getting. There is no sewerage infrastructure. The houses are there with no clear planning at all, and that is why I support this Motion that we need policies on the issue of urbanisation. I beg to support the motion.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Mariru): Hon. Oyula, Member for Butula.

Hon. Oyula: Thank you, Hon. Temporary Deputy Speaker, for giving me the opportunity to contribute to this very important Motion.

Before I give my comments, let me take this opportunity to join other honourable members in passing my condolences to the people of Nyeri and the family of the late Governor on behalf of the people of Butula.

This Motion is long overdue. As you are aware, the upcoming towns or urban centres have been haphazardly constructed. There has been no planning and you find the upcoming towns coming up with slums instead of beautiful towns. This Motion will aim towards integrating land use planning with economic environment and social planning at national and county level. County governments are required to do a lot of work because the previous systems never had any planning system for the upcoming urban areas. The Motion will simplify the planning process and it will also accord land use planning to the highest premium. If value of properties in these upcoming towns is to be considered properly, there must be proper planning.

Houses are built without looking at any direction and that drops the value of the urban centre as it comes up.

This will recognise the role of integrated rural planning in realising equity in national and county development. This Bill as presented is going to be of great use to the county governments and particularly in the areas that are upcoming. I beg to support.

The Temporary Deputy Speaker (Hon. Mariru): Let me now give this opportunity to a member who has been very patient – Hon. King'ara, the Member for Ruiru.

Hon. King'ara: Ahsante sana, Mhe. Naibu Spika wa Muda kwa jicho lako zuri lililioniona na kunipatia fursa hii.

Kabla sijaongea lolote, ningekuomba unipatie fursa niweze kuomboleza na jamaa na marafiki wa Daktari Gakuru, ambaye alikuwa rafiki yangu. Hata alinialika nihudhurie sherehe za Mashujaa Day kule Nyeri. Tulikuwa na yeye kule Nyeri na tukaongea mengi kuhusu maendeleo ya Kenya yetu tunayoipenda. Jamaa wa Ruiru wote wanaomboleza na familia yake pahali popote walipo. Hilo ni pigo kubwa kwa nchi yetu ya Kenya. Kama watangulizi wangu walivyoongea, ni vizuri tuwaheshimu viongozi wetu wakati wanapopata majanga kama haya.

Nikigusia mjadala wa leo, ningependa kusema kuwa ni mjadala mwafaka zaidi hasa katika eneo ninalotoka la Ruiru. Katika nchi nyingi za Afrika, kuna uhamiaji wa watu kutoka mashambani kuelekea mijini. Haraka ya kwenda mjini inakuwa ya mwendo wa kasi kuliko haraka ya kutengeneza mazingira ya wale watu wanaokuja mjini. Hii ni hasa wakati tumetengeneza barabara kuu kama hii ya Thika na barabara nyingine za kando. Watu wanatoka mijini na kuhamia karibu na barabara zile. Kama wengi walivyosema hapa, unakuta kwamba hatuwekei uzito mambo muhimu katika maisha ya binadamu kwa sababu labda hatuna mjadala kama huu wa kuweka utaratibu mwafaka wa kuleta maendeleo ya watu waliokuja pale.

Mambo kama ya usalama yamekuwa yakizorota kwa sababu watu wamekuja wengi na hakuna polisi na utaratibu wa maji taka. Unaona kwamba tunapata janga la magonjwa makali kama kipindupindu na mengineyo. Tukichukua mwelekeo mpya wa kuweka utaratibu katika uhamiaji wa watu kutoka mashambani kwenda katika miji mikuu, utakuta kuwa maeneo ya mashambani yatakuwa yamehusishwa katika maendeleo kutokana na ugatuzi. Kwa nini nimesema hivyo? Mhe. Naibu Spika wa Muda, unajua tumepata ugatuzi na miji sio ile miji mikuu kiongozi wa mjadala huu ametaja, bali hata maeneo ya ndani. Vile sasa tuko na kaunti na kaunti ziko na fedha zake, utakuja kukuta kuwa hata huko kutakuja kuwa na miji mikuu. Kwa hivyo, wakati tunajadiliana na kutafuta mwelekeo wa mjadala huu, ni vizuri tukumbuke ugatuzi na kujua kuwa maeneo kama Turkana yatakuwa na miji mikuu na ni vizuri tuweke uzito katika maendeleo ya watu watakaokuwa katika miji ile.

Mengi yatasemwa yatakayogusia utaratibu wa kuishi kwa watu lakini bila mikakati kuwekwa, tutakuwa tunaongea jambo moja likifuatwa na lingine na tutakuwa tunajirudia. Kuna mambo ambayo yamekuwa yakijirudia katika miji. Kuna shida ambazo zimekuwa zikijirudia. Kukinyesha, unakuta tunakimbia kujaribu kutafuta mwelekeo wa kuishi lakini tukiweka mikakati, haya yatakuwa mambo ya kupita na sisi tutaendelea mbele na tutakuwa na misimamo itakayotufanya tuonekane tumekomaa kama wanasiasa waliochaguliwa na wananchi. Majukumu yetu yatakuwa ya kufaa wakati tumepewa kazi na tuje Bungeni na kutekeleza yale yametufanya tuje hapa. Tunaweza sema haya yote, lakini tusipochukua jukumu la kuyatimiza, itakuwa ni maneno tu ya bure na mwelekeo hautapatikana. Mjadala huu uko na uzito na upatiwe kipaumbele.

The Temporary Deputy Speaker (Hon. Mariru): Let us now have Hon. Yussuf Haji, the Member of Parliament for Mandera West.

Hon. Yussuf Adan: Thank you, Hon. Temporary Deputy Speaker. I also take this opportunity, first of all, to offer my condolences to the people of Nyeri and the family of the late governor and to Kenya as a whole.

I support this Motion. In the area I come from, there is very big movement of people from the pastoral set-ups to the urban centres. This is maybe due to climate change, the drought that has affected the people and loss of livestock as a result of drought and other catastrophes. All of a sudden, there is mass movement of people from the pastoral areas to the urban centres. Unless proper planning of urbanisation is done and those people who have been used to pastoral lives are guided and shown how to survive within the urban set-up, that may lead to other disasters such as poor planning and poor waste management. People come and settle in those open areas within the urban centres without regard to where the roads and service lines will be. In the case of a situation whereby there is a fire somewhere, even if there is a fire brigade system in an urban centre, reaching those areas becomes quite impossible and, therefore, nothing can be salvaged at all.

In some areas, as people stop pastoralism and come to the urban centres; they come and settle the way they used to settle like in the *boma* in the bush. Therefore, you see plots which are rectangular, triangular, square and all sorts of funny shapes. Without having proper urban planning and systems in place, this may end up becoming some serious disaster later in life. Therefore, with proper planning, we need somewhere where our children can play. Playing grounds for children are very important. When we raise children and just put them in concrete places as if they are in a cell, those children will grow up as very dangerous citizens of this country. But when you expose them and give them a piece of land where they can play and children of the neighbourhood can come together, they can learn from one another, adapt to one another and end up becoming good citizens of this country as they grow. Therefore, getting playing grounds for children within the urban centres where people settle is very important.

All in all, I support this Motion. Urbanisation or proper planning of urban centres is a very important and timely issue that has come up. We should support it by all means.

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

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

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I have eight requests. The next one on my list is the Member for Chepalungu. Let us have the Member for Taveta Constituency.

Hon. (Dr.) Shaban: Ahsante sana, Mheshimiwa Naibu Spika wa Muda. Hakuna jambo la muhimu kama kuwa na mipangilio kikamilifu kuhakikisha kuwa nchi yetu na miji yetu imepangwa kisawasawa, na haswa, katika hali ya mambo ya ujenzi wa nyumba za kuishi na za kufanyia shughuli za kibiashara. Naunga mkono Hoja hii ya Ruwaza ya Serikali ya Kenya ya kuhakikisha kuwa mipangilio hiyo inafanywa kisawasawa.

Miji ya Nairobi, Mombasa, Kisumu na Eldoret ni miji ambayo imepitwa katika mipangilio yao kwa sababu ya idadi ya watu wale ambao wameongezeka katika miji hiyo. Kwa hivyo, kuna umuhimu kuwa miji mingine pia iweze kupangwa kikamilifu ili iweze kupunguza idadi kubwa ya watu inayokwenda kwenye miji hiyo minne.

Katika Kenya hii, hauwezi kusema utafanya mipangilio kama suala la ardhi halitakuwa limetatuliwa. Hata miji mingi ikitaka kuwa na mipangilio mizuri, tatizo kubwa lililoko ni ardhi

ambayo imepeanwa kiholelaholela. Serikali ya Kenya inatumia pesa nyingi sana kununua ardhi kutoka kwa wale ambao walipatiwa ardhi hiyo kiholela, ili waweze kupanga mipangilio na hata kujenga sehemu ambazo zitatumika na umma - haswa ofisi ambazo zinatumika na Serikali kuu na hata serikali za ugutuzi.

Kuna mambo ambayo Serikali hii, kupitia mipangilio yake, inaweza kupanga. Ingeanza na kulitatua kikamilifu suala la ardhi. Mipangilio bila ardhi haiwezi kusonga mbele. Serikali yetu haiwezi kuendelea kulipa pesa zile nyingi inazolipa ili kupata ardhi ya kutosha kuweza kufanya mipangilio hii. Mipangilio hii ni lazima. Ili Hoja hii ipite, ni lazima Tume inayosimamia masuala ya ardhi iweze kufanya kazi kwa ukaribu sana pamoja na Serikali kuu, Wizara ya Ardhi, Wizara ya Mipangilio pamoja na Wizara inayosimamia maendeleo katika maeneo ya mjini. Serikali yetu inavyozidi kufanya kazi hizi na kupanga mipango hii, itaweza kuendelea mbele namna gani kama suala la ardhi halitakuwa limetatuliwa?

Kwa hayo machache, naunga mkono Hoja hii.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have Hon. Tuitoek

Hon. Tuitoek: Thank you very much, Hon. Temporary Deputy Speaker. First, I would like to join my colleagues in sending my condolences to the people of Nyeri and the family of Dr. Gakuru due to the unfortunate accident which led to his death.

I would like to support this Motion on the National Urban Development Policy which is very important given the way urban centres or towns are developing in Kenya. We note that in many centres, there is quite a haphazard construction of houses. There are no recreational areas which have been left for people to use as parking or open spaces.

As people have mentioned, there is a lot of irregular acquisition of plots without following proper planning. We also want to note that in these upcoming centres, especially like in Mogotio Constituency, the headquarters of the constituencies which are the sub counties need several services. First and foremost, water and sanitation facilities require to be put in place. If there is no proper planning, then it becomes difficult to start putting these provisions in place, especially the waste water management which is very crucial in these upcoming urban centres. Waste management is also another area which needs to be planned properly. We note that currently many of our cities, especially the big ones, are facing a major problem in solid waste management. Most of the counties do not have a particular place to dispose of their solid waste. As time goes by, even the new towns will also need to set aside land for solid waste management. If it is not planned properly, then we shall have the current problems which we face in Nairobi, Kisumu and other major towns which have a lot of solid waste and they do not know where to dispose it.

Secondly, these new urban centres require new roads to be paved. Like in Mogotio Town in Mogotio Constituency, when this paving of roads come later, there is a lot of disturbances in businesses. There is a lot of open drainage. Proper drainage is not in place. So, it is proper to have a proper policy to guide in development of these centres.

Information and Communication Technology (ICT) infrastructure is also one of the crucial areas which we need to plan, because as we move on, we expect most of the services to be provided online. We see a lot of wireless services being provided. If they are not incorporated in proper development policy planning of towns, then we get a problem.

Hon. Temporary Deputy Speaker, I support the Motion which is very important at this particular time. I beg to second. Thank you.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Let us have the Member for Masinga Constituency, Hon. Mwalyo Mbithi.

Hon. Mwalyo: Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to express my condolences first of all to the people of Nyeri County for the loss of their governor, and also to the people of Meru County whose former Member of Parliament and a Minister passed on last week.

I would like to support this Motion which is the Adoption of Sessional Paper No. 6 of 2016 on the National Urban Development Policy. I would like to state that we need proper planning for the new urban centres because there was poor planning in the old ones like the ones that are in this city and other cities. Those who are in charge of dishing out plots gave out road sites. You find a house which is built on a road. When there is fire, engines have nowhere to pass, and an ambulance cannot pick people who are sick. They are pathetic. Therefore, we need proper planning going forward because this country should look like the other countries. If you go to the other countries of the world, you will find there is a road between plots where you can drive through, go to your houses, and at the back of your house. There are also essential roads that serve the people that are not able to walk properly.

In this country, we need to plan for houses that are affordable to the low income earners, so that they can access them, rent them out or even build for themselves. This can only come if planning is proper. After we adopt this National Urban Development Policy in this House, it should be spread to the counties. You will find that a Member of the County Assembly (MCA) will grab land anywhere and put up a house where there was an access road to some other houses. MCAs are dishing those plots to their friends without minding what the future holds for the people who are behind the houses that are in the front. Therefore, we need proper planning going forward, so that we can have a country that is properly planned in the urban centres. We will continue to have young men coming to the city because this is where factories have been built, and there are jobs. Therefore, these people will keep on trickling to these cities. They will need somewhere to stay. We need proper planning because the population will keep on growing day in, day out. The Government needs to look into this. When we put this policy into place, it should be protected. The law should be enforced because sometimes it is not enforced. For example, in some place in my area, somebody put up a house where there is a road. You cannot access the school that is behind the town. The people who enforce policies should also be ready to enforce them.

Hon. Temporary Deputy Speaker, I support the Motion. Thank you very much.

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

Hon. Tuwei: Thank you, Hon. Temporary Deputy Speaker. I want to add my voice to this very important Sessional Paper that will change the way we live and conduct our affairs. This Motion is supposed to have come before devolution. We all understand and know that the spirit of this nation is devolution. Today through devolution, every sector is now geared towards urbanisation.

I come from a region where my sub-county headquarters has no planning. Investors may have wished to invest but they are not able to do so because of the challenge that we are trying to address today through this Motion. We will solve the problems that are for us and for the coming generation. As it has been discussed by my fellow Members, the challenge I find here is the issue of land. Urban planning is very important. Those who have taken land from these very important centres will make it quite a challenge to the nation, especially knowing very well the amenities which will be provided as a result of this urban planning. Parliament or this country will spend a lot of resources in compensating those who took land through unfair means for prospectation.

The other issue that is very important for us is to look at how far we are planning our cities or urban centres. Do we plan them for 10 years, or do we plan cities on a cluster, or do we plan them with an aim of expanding the centres to the rural areas? For example, it is a challenge to plan Nairobi as it is presently. It is also my suggestion that as we pass this Motion, we also start other cities that can take up the modern challenges. It has been expressed by other Members that we have poor planning in our cities thus slums. Do we continue having slums or do we create satellite cities that can eliminate them? This is a challenge we need to sort out through the passage of this Bill.

I come from Mosop and it is now developing. Our roads have expanded. We now have our headquarters at Kabiyet, but it is poorly planned. At Kaiboi we have a technical training centre. We have to plan. Development has to be done on people's land. As we move along, we must provide resources to enhance this sector so that we can have city and urban planners taken for benchmarking in other countries. So far, we have very few physical planners in this country. We need to change our education curriculum to enable many professionals to undertake physical planning as course. We should look at countries like China which has the highest population and has the best urban planning and it does not have the challenges we have in this country.

With those few remarks, I concur and support this Motion.

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

Hon. Eric Njiru: Thank you, Hon. Temporary Deputy Speaker for giving me the opportunity to contribute to this Motion. First of all, I request you to allow me to pass my condolences and those of the people of Runyenjes Constituency to the great people of Nyeri who have lost their governor. I know it is a very difficult time for them as a county. It is also a more difficult time for the family. I wish to assure them that we are with them in our prayers and in our thoughts.

It is common knowledge that the population in our urban centres continues to grow every day. The number of people coming to urban centres to look for jobs has continued to increase over time. So, it is very important for us to have a policy that will guide the planning of our urban centres. If you go around many urban centres in this country, you will realise that there is poor planning in a majority of them. In fact, service delivery to the residents in these urban centres has become very difficult. We have also witnessed in many centres, including Nairobi, Nakuru, Eldoret and Mombasa, traffic jams that never come to an end. We lose a lot of time in the traffic jams as we go to our work places and carry out our daily activities.

The adoption of this Motion will help this country to plan and achieve development. There is a very clear relationship between good planning and development. In poorly planned urban centres, we do not realise development. As we all know, the essence of devolution was to ensure we have development at the grassroots level. So, it is important for us to support this Motion so that also county governments can be proactive in ensuring the counties are properly planned to attract development and create more jobs for the many jobless youths.

Finally, the implementation of this policy is as important as its adoption. It is one thing to adopt here in Parliament and another to implement it. I appeal to the people who will be in charge of implementing it to do it well to ensure that it falls into place.

Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. I support the Motion.

Hon. Didmus Mutua: Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity. Let me begin by conveying my message of sympathy to the people of Nyeri County who lost their governor. I assure them that the people of Kimilili Constituency will stand with

them during these trying moments owing to the fact that the late Gakuru was in my constituency on 21st October 2017 when we were drumming up support for the His Excellency Uhuru Kenyatta.

I rise to support this Motion because in everything planning is very important. Even as we woke up in the morning, we planned what we were going to do and how to do it. Any institution that does not plan, I dare say, shoots itself in the foot. It is therefore important for us to plan our towns. Most of the disasters that have happened in this country have the root cause in poor planning. By planning, we oversee the risks and mitigate them. This is a very important policy. I do not just support it, but I would wish to state that it is long overdue.

Hon. Ndirangu: Thank you very much Hon. Temporary Deputy Speaker for giving me this opportunity to support this very important Motion on Adopting the Sessional Paper No.6 of 2016 on National Urban Development Policy. I want to limit my contribution to three important items about urban development.

One is land tenure. In Roysambu Constituency, we have many informal settlements. We have Marurui, Njathaini, Soweto and Kamae. We do not have title deeds in any of those slums. It makes it completely difficult for the land owners there to develop even their own housing. It is very important as we consider adopting this policy that the Ministry of Land, Housing and Urban Development, together with the National Land Commission (NLC), urgently ensure that our informal settlement residents are issued with title deeds so that they can access loans and use those titles as collaterals in order for them to develop their residences. I want to emphasise that some of the problems we have in the informal settlements, like crime and poverty, are directly related to lack of collaterals like title deeds. It is very important that the NLC works together with the Ministry of Land, Housing and Urban Development to ensure that we have title deeds.

My other issue concerns preservation of public utility properties like school, playing fields and spaces for building hospitals. You realise that most of the public utilities that were set aside in the entire of Nairobi shortly after Independence and in the first two administrations have been grabbed right from Gikomba, Mwariro and Grogan. These problems have not spared my constituency. The establishment and development of Thika Superhighway displaced about 10,000 hawkers who have now converged in centres like Roysambu and Githurai. You will find that on any single day, there is a gridlock of traffic jams on those junctions. I am appealing to this department together with our Nairobi Governor to work hand in hand to make compulsory acquisition of land to establish markets in Githurai, Kahawa and Kiwanja. This goes hand in hand with creation of bus parks and spaces for recreation of our pupils.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): I therefore now call upon the Member representing Laikipia West. Hon. Mariru Kariuki.

Hon. Mariru: Thank you very much, Hon. Temporary Deputy Speaker, for this opportunity. I want to add my voice to this very important Sessional Paper that we are considering today. As a matter of fact, when we got Independence as Kenya, 80 per cent of Kenyan population was living in urban areas. Right now in 2015, over 40 per cent of Kenyans were living in urban areas. In 2030, it is projected that half of Kenyans will be living in urban areas. Seventy per cent of GDP is generated within the urban areas. So, this Sessional Paper and, indeed, an amendment to the Urban and Cities Act is extremely critical. When you are talking about urban areas, it is not just the governance; it is not just the committees that will manage our urban areas, I tend to see the urban areas development plan beyond governance. It is how our

urban areas are governed and secured. It is about infrastructure in our urban areas. It is about water in our urban areas. It is about the contribution of urban areas to the economy.

If you go to Laikipia, Nyahururu and Nanyuki towns contribute 70 per cent of the revenue generated in Laikipia. When you talk about a town like Nyahururu, it speaks to about the market of the tomatoes, maize and beans grown in the rural areas. It is about the market of the products of our people. This is a very critical instrument. I would like to plead with the county government to have a very purposeful collaboration and partnership with the national Government in the areas of urban development so that urban areas can grow and there can be a solid partnership between the national Government and the county governments so that we can grow our urban areas. I would also be looking forward to the Urban and Cities Act and particularly the amendments to be proposed. I saw in the media one or two months ago that the Cabinet considered and will be proposing an amendment to the Urban and Cities Act.

Because I see there is no time, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Member, it is five minutes to 1.00 p.m. It is now time for the Mover to reply.

Hon. Cecily Mbarire.

Hon. (Ms.) Mbarire: Hon. Temporary Deputy Speaker, how much time do I have?

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): You have five minutes.

Hon. (Ms.) Mbarire: Can I donate two minutes to the Member for Kiharu?

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Yes, Member for Kiharu?

Hon. Nyoro: Thank you very much, Hon. Temporary Deputy Speaker. I want to take my first few seconds to send my condolences to our neighbours, the people of Nyeri, for losing their governor, who was my personal friend. At this time of grief, we can only pray that God gives them enough peace so that they can move on.

Even as we discuss this policy framework paper today, I rise to support it with a few points. First of all, when we talk about urbanisation and town management, the issue of service and security come first. We realise that by virtue of cities and towns being densely populated, their per capita cost of offering services is always quite low. Therefore, my take would be that, because we have so many people living in small pieces of land – especially within our towns – the issue of infrastructure needs to be given a lot of prominence. I have been looking at the way we grow as a nation, especially infrastructure-wise. I always think because much of our economy and much of our GDP and output is from urban areas, specifically Nairobi, we always undermine our cities; especially when we are giving them resources for infrastructural development.

Therefore, as I wind up, we need to provide more resources for our roads and other infrastructural development so that our cities and towns can reflect the number of people who live there.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Mbarire, you have two minutes.

Hon. (Ms.) Mbarire: Thank you, Hon. Temporary Deputy Speaker. I am really impressed by the kind of interest that this particular Motion has elicited in this House this morning. Clearly, many more Members would have wanted to participate in it but due to time constraint, we are going to close this debate.

I want to thank all the Members who have contributed to this important Motion. It is time for us to have a national urban development policy, as many Members have confirmed in their contribution to this Motion. Once we have this in place, there is no doubt that we are not going to

spend the amount of money that we spend in both the national Government and county government in compensating private owners when we have to expand our infrastructure such as roads and water. With this policy, we are going to have a better plan on how we will move forward and ensure that future cities... With devolution, we are set to have many future cities that are going to come up. We can therefore decongest Nairobi, Mombasa and see people settling in the newer and more modern cities. I thank Hon. Members and I really look forward to this policy being operational.

With those few remarks, I beg to move.

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, I am not in a position to put the Question to the Motion on Sessional Paper No. 6 of 2016 on the National Urban Development Policy. I, therefore, order that the Question to this Motion be put the next time as will be appropriate.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. (Ms.) Mbalu): Hon. Members, the time being 1.01 p.m. this House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 1.01p.m.