

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 15th February 2018

The House met at 2.30 p.m.

[The Speaker (Hon. Muturi) in the Chair]

PRAYERS

PETITION

ENACTMENT OF LEGISLATION ON DIGITAL SECURITY AND FORENSIC PROFESSIONALS

Hon. Speaker: Hon. Members, pursuant to the provisions of Standing Order No. 225 (2) (b), I wish to convey to the House that my Office is in receipt of a Petition by Mr. Michael Ouma Omuga and Mr. Julius K. Njiraini. The petitioners are praying for enactment of legislation to govern the registration, regulation and licensing of digital security and forensic professionals. The petitioners aver that in the recent past, there has been an increase in cases of cyber attack in Kenya and further alleges that in the year 2016, African countries lost at least US\$2 billion in cyber attacks. These attacks were as a result of poor maintenance of chain of custody which requires that evidence collected is stored in a tamper-proof manner with no access by unauthorised individuals. The petitioners further allege that cyber criminals are deliberately targeting the Kenyan digital economy and mainly the Government, telecommunication companies, mobile money services, SACCOs, microfinance, e-commerce sector and online markets, among others. The petitioners, therefore, pray that the National Assembly:

(i) Enacts legislation to provide for the registration, regulation and licensing of digital security and forensics professional in Kenya and sets guideline on qualification and authorised professionals to practice the same in line with the Computer and Cyber-crime Act, Cyber security and protection and any other related legislation; and,

(ii) Enact legislation to provide the Cabinet Secretary, Information and Communication with powers to maintain database of qualified digital forensic experts in Kenya.

Pursuant to the provisions of Standing Order No.227, this Petition, therefore, stands committed to the Departmental Committee on Communication, Information and Innovation for consideration. As you are aware, the Computer and Cybercrimes Bill (National Assembly Bill No. 36 of 2017) was read the First Time on 10th October 2017, I, therefore, wish to guide that the said Committee considers the prayers sought by the Petitioners alongside the Bill.

I would like to notify Members that they would be at liberty to comment, but I do not see anybody desirous of commenting on that. So, we proceed to the next Order.

PAPERS LAID

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

Sessional Paper No.3 of 2016 on National Housing Policy from the Ministry of Lands, Housing and Urban Development;

The Performance Report of the Independent Policing Oversight Authority (IPOA) for the period covering January to June, 2017;

The Reports of the Auditor-General on the Financial Statements in respect of the following Institutions for the year ended 30th June, 2017 and the certificates therein:

- (a) Industrial and Commercial Development Corporation;
- (b) Capital Markets Authority; and
- (c) Geothermal Development Company Limited.

The Reports of the Auditor-General on the Financial Statements in respect of the following Institutions for the year ended 30th June, 2016, and the certificates therein:-

- (a) Maasai Mara University;
- (b) Kenya National Highways Authority;
- (c) Kenya Railways Corporation; and,
- (d) Kenya Revenue Authority.

The Reports of the Auditor-General on the Financial Statements in respect of the following Constituencies for the year ended 30th June, 2016, and the certificates therein:

- (a) Langata Constituency;
- (b) Mandera North Constituency;
- (c) Masinga Constituency;
- (d) Embakasi North Constituency;
- (e) Dagoretti South Constituency;
- (f) Nakuru Town East Constituency;
- (g) Mwala Constituency;
- (h) Mathare Constituency;
- (i) Molo Constituency;
- (j) Embakasi South Constituency; and
- (k) Kasipul Constituency.

NOTICE OF MOTION

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

THAT, this House adopts Sessional Paper No. 3 of 2017 on The National Policy on Climate Finance, laid on the Table of the House on Wednesday, December 13, 2017.

STATEMENT

BUSINESS FOR THE WEEK COMMENCING ON 20TH TO 22ND FEBRUARY, 2018

Hon. A.B. Duale: Hon. Speaker, pursuant to the provisions of Standing Order No.44 (2)(a), I rise to give the following Statement on behalf of the House Business Committee.

The Committee met this week at the rise of the House to give priority to business that will be considered next week. From the outset, I wish to officially welcome Members back from the long recess. It is important for Members to know that our in-tray is full. The budget process

is about to begin and will entail a review of the Budget Policy Statement, the Division Of Revenue Bill, 2018 and the County Allocation of Revenue Bill, 2018. The Committees will also be conducting the vetting of nominees to the offices of the principal secretaries, ambassadors and high commissioners. These are some of the key businesses that ought to be undertaken by 30th April, 2018 before the receipt of the budget estimates from the National Treasury. On Tuesday next week, we shall consider the second reading of the following Bills:-

1. The Nairobi Metropolitan Area Transport Authority Bill, 2017;
2. The Statute Law (Miscellaneous Amendments) (No.2) Bill of 2017;
3. The Kenya Roads Bill, 2017;
4. The Computer and Cybercrimes Bill, 2017; and,
5. The Statute Law (Miscellaneous Amendments) (No.3) Bill of 2017.

Through you, I urge all Chairpersons of Departmental Committees to expedite consideration of the mentioned Bills and table the reports to enable Members to acquaint themselves with the content of the Bills before the debate. In the same week, we hope to finalise on the Motion of Appointment of Members to the Parliamentary Service Commission (PSC) once my colleagues from the minority party have nominated Members to represent them in the Commission. Otherwise, we will seek your indulgence to proceed without their names the same way we did for the House Business Committee.

I now wish to lay this Statement on the Table of the House.

(Hon. A.B. Duale laid the document on the Table)

Hon. Speaker: This is just to observe that the Leader of the Minority Party, Hon. John Mbadi, wrote to me requesting that I allow him and his side of the Coalition until Monday next week so that we can proceed with the matter. Is that correct, Hon. Mbadi?

Hon. Ng'ongo: Thank you, Hon. Speaker. You are actually correct that we have consulted within the National Super Alliance (NASA) Coalition and agreed that by Monday, you will get a letter from my office nominating three nominees to the PSC from the NASA Coalition.

Hon. Speaker: Before we proceed, let me recognise the presence in the Speaker's Gallery of pupils from Njogune Boarding Primary School from Imenti South Constituency in Meru County. They are welcome.

(Applause)

Let us move to the next Order.

BILLS

Second Readings

THE NAIROBI METROPOLITAN AREA TRANSPORT AUTHORITY BILL

Hon. A.B. Duale: Hon. Speaker, I ask for your indulgence. I will be very happy if the Committee first deals with this Bill and then tables a report in the House so that we can discuss it better.

Hon. Speaker: Who is the Chair of that Committee? Is it the Member for Pokot South Constituency? Does he have a Vice-Chair? Who is the Vice-Chair of that Committee?

All Members of that Committee, please, take note that debate on this Bill is being stood down for the simple reason that the Committee has not tabled a report. Very soon we will begin to insist that Committees have to submit their reports within the stipulated times to allow the House to transact business.

Let us move to the next order.

(Bill deferred)

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO. 2) BILL

Hon. A.B. Duale: Hon. Speaker, similarly this Bill is before the Departmental Committee on Justice and Legal Affairs and they have not tabled a report. I really wanted to start the debate when the report has been tabled. This is because I want to set a new standard in the 12th Parliament that Committees must comply with the timelines set up in the Standing Orders.

Hon. Speaker: Which Committee is this? The Departmental Committee on Justice and Legal Affairs of Hon. Cheptumo and team. This debate is similarly stood down.

Let us move on to the next Order.

(Bill deferred)

THE KENYA ROADS BILL

Hon. A.B. Duale: Hon. Speaker, again I spoke to the Chair yesterday and told him that as I move for the Second Reading of the Bill, he is supposed to second it and give the stakeholders' view. Now that he is not here to set the pace for 12th Parliament not to follow the precedent of the old Parliament, Chairs must be here to second Bills when they are tabled afresh.

With this one, I am not ready until the Chair is ready to second.

Hon. Speaker: Let us have the Leader of the Minority Party.

Hon. Ng'ongo: Thank you, Hon. Speaker, for giving me this opportunity. I agree with the Leader of the Majority Party that we must set standards in this Parliament. This is a requirement in our Standing Orders that has been ignored for a long time. It is very clear that we cannot transact or deliberate on a Bill through the Second Reading unless we have the report from the Committee. In fact, we have indulged Committees by saying that if you are not ready, you need to present a progress report saying you need more time. I do not know why Chairs are behaving like they do not read the Standing Orders. Most importantly, people fight for these leadership positions and when you get it, you need to demonstrate that you are up to the task.

Finally, the Committees came into place in December and have had the whole of January and part of February. The Committees cannot tell us that these Bills are not ready because they are not so many per Committee. I think we will have to reprimand the Committee Chairpersons. If need be, we may even amend our Standing Orders so that if a Committee does not consistently follow the requirements of the Standing Orders, there is either a change of leadership of that particular Committee or an overhaul of the entire Committee. It would mean they cannot deliver. It now appears like we will adjourn early simply because we cannot transact business courtesy of the failure by Committees to live to the letter and spirit of the Standing Orders.

Thank you, Hon. Speaker.

Hon. Speaker: You are absolutely right. Member for Yatta!

Hon. Kilonzo: On a point of Order, Hon. Speaker.

(Loud consultations)

Hon. Speaker: He is also on a point of order. Do not shout! Like I said earlier, Members who have the habit of shouting and cannot keep their mouths shut while still seated will find it very difficult to catch my eye.

Hon. Kilonzo: On a point of Order, Hon. Speaker. Looking at next week's Order Paper, it is very obvious we will also not have any business until Tuesday of the following week. Just like the Leader of the Minority Party has said, I want to request the House Business Committee (HBC) to consider this. If this House has no business we should adjourn even for another week because Members of Parliament (MPs) are very busy people. Rather than keeping us in Nairobi doing nothing, we should go back to the constituencies. We should not be postponing Bills when they are in the Second Reading.

I am aware that most of the Chairpersons are very new, but surely, they are expected to be very smart. By now, they should have gone through those Bills and tabled reports. My appeal to the Chairpersons and the HBC is that if there is no business for this House, we adjourn for another one or two weeks.

Hon. Speaker: Member for Kisumu West.

Hon. Aluoch: On a point of order, Hon. Speaker. What is happening here this afternoon is fraud on Members and Kenyans. A few minutes ago, the Leader of the Majority Party said that our in-trays are full, which is true. However, I disagree with Hon. Mbadi, the Leader of the Minority Party, when he says that the Chairpersons of Committees are not working. It is the Jubilee Chairpersons of Committees who are not working and that is the truth! This is a demonstration of lack of seriousness on the part of those who have been fighting to be chairpersons of committees. They must develop a way of tracking pending business so that they can co-ordinate well. This means, they do not even look at Order Papers, because if they did so, they would have known that today they are supposed to be here. So, this is an indictment on the Jubilee side of the House and action must be taken.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Endebess.

Hon. (Dr.) Pukose: On a point of Order, Hon. Speaker. I think we need to get it very right because it is not good to condemn all the Chairpersons. We should be very specific. Looking at the Order Paper, Orders No.8 and 10 are the Nairobi Metropolitan Area Transport Authority Bill and the Kenya Roads Bill respectively, which are referred to the Departmental Committee on Transport, Public Works and Housing. For us to condemn all the other Chairpersons of Committees would be a misrepresentation because there are those who are doing a very good job and are hardworking. So, this is very wrong.

Order No. 9 on the Statute Law (Miscellaneous Amendments) Bill links various Committees and it is referred to the Departmental Committee on Justice and Legal Affairs. We do not have only two Committees but 29 of them. Sampling the two of them is called cheating in statistics. It is not good to wholeheartedly condemn all the Chairpersons. For instance, in the Departmental Committee on Energy, we completed our Budget Policy Statement today and we have asked the relevant Ministry to appear before us. The Energy Bill and the Petroleum

(Exploration, Development and Production) Bill are before us and we are on top of things. I do not like this issue of condemning everybody wholesome for not working. Let us be very specific and state the Committees which are facing challenges and allow them to address them instead of making Parliament to look bad.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Kitui South.

Hon. (Ms.) Nyamai: On a point of order, Hon. Speaker. I would like to also join my colleagues who have spoken before me. They have said that there are Chairpersons of Committees who are doing their work. I am sure the Leader of the Majority Party knows they are doing their best. Similarly, I know that in the 11th Parliament, Chairpersons of Committees used to be blamed. For example, in my own Committee, we have been doing public participation and receiving various stakeholders' views based on the memorandum sent to the House. The Departmental Committee on Lands is working very hard just as the Departmental Committee on Energy is doing. If there is a Chairperson of a Committee who has not delivered or prepared himself or herself properly, or a Chairperson who does not have a very good secretariat like the one we have in the Departmental Committee on Lands, then the blame should be directed to that Committee. Hon. Speaker, please, protect us Chairpersons because we have an image to protect especially before our constituents.

Thank you, Hon. Speaker.

Hon. Speaker: Member for Kiminini, you still want to say something on this?

Hon. Wakhungu: Thank you, Hon. Speaker. I know there is a new practice and I want to congratulate the Leader of the Majority Party, Hon. Duale for stating that we should have a committee report before any Bill goes to Second Reading. I know in the last Session, we had issues because during the Second Reading, we could debate without a committee report. Therefore, I am hoping this practice will be carried forward.

We must be proactive because this act is very fraudulent. Our Standing Orders state very clearly that we can only debate or do business as per the Order Paper. So, from the look of things, there was no point of having this afternoon Session, because as per the Order Paper, there is nothing to be transacted.

I want to put a question to the relevant authority which you chair. I wonder why a Supplementary Order Paper was not made so that we could transact business. Indeed, it is true the in-tray is very full. Why was the Supplementary Order Paper not made for us to transact business? From the look of things, we have nothing to do and so, there is need to adjourn.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Wamalwa, Supplementary Order Papers are not made by the Speaker: I only authorise. If you look at our Standing Orders, I must have received the notice not later than 1.00 p.m. so as to authorize. This is because it is not good to take Members by surprise. Not unless there is business which Members are fully aware of through some other engagements. I can see so many interventions, Hon. Members. Is it about this? Member for Emuhaya, I hope you are not going to say you are making a maiden speech because you cannot make a maiden speech on interventions. I suspect I have heard you speak in the past.

Hon. Milemba: On a point of order, Hon. Speaker. For me, this is quite regrettable because this week, the Leader of the Majority Party has been telling us in this House that the Chairpersons are not available and so we cannot move forward.

(Loud consultations)

Can this Hon. Member, please, allow me to speak so that the Speaker may get what I am saying? At this rate, the House will not operationalise. I think it is the business of the Leader of the Majority Party to make sure that this House operates. I am also aware that many times, when your cohort is called for *kamukunjis*, nobody misses. At one point, I sat in a Committee where we even tried to change one of the chairs and you came intentionally to make sure that we have that chair there. Now these chairs are not doing their work.

Hon. Speaker, in the event that the House has no business, there are other many serious businesses that concern this country, which this House should be debating or deliberating on. For instance, we have been giving out Motions. In particular, I gave out a Motion which was declined by you, Hon. Speaker. The Motion was that we discuss the immediate business of the media houses being shut down in this country. This country would want to listen to them. Therefore---

Hon. Speaker: You are on a point of order. If you start digressing, I will shut you out.

Hon. Milemba: Before you shut me out, I want to say that, maybe, we should be given space to adjourn and discuss such a business because there is a lot of business to be discussed.

Thank you, Hon. Speaker.

Hon. Speaker: You must always know that when proposed business is declined, it is for very good reasons. The Constitution must be followed. In this place where you are making your debut, there is something called the rule of *sub judice*. It is obeyed. So, when you come to propose--- That was not even a Motion. That was just a proposal to a statement. However, if you want to move a Private Member's Motion, submit it. But know that Private Member's Motions are debated on Wednesday mornings and not on Thursday such as this kind of Sitting. It is within my power to reject that which I determine as capable of breaching the rules that we must abide by. I will continuously do that. I can assure you that I will faithfully discharge that duty to reject that which appears to be unconstitutional and likely to prejudice other arms of Government like the Judiciary.

So, we do not have to go by Motions. I know if somebody has a background of trade unionism, they believe that anything is business. No! Here, we do not follow those kinds of procedures. Here, we are governed by rules, traditions and customs but, foremost, is the Constitution. So, Hon. Omboko Milemba, I am sure you are accordingly advised. Do not worry about this. It is nothing to do with the Kenya Union of Post Primary Education Teachers (KUPPET), the Kenya National Union of Teachers (KNUT) or anything like that. So, do not worry.

The other thing that I may wish to remind you, Hon. Omboko Milemba, is that, when you address or speak in this place, do not address anybody as "you" or "you ought to". No, no, no! Your address must be through the Chair to avoid a situation whereby somebody may think that you are being personal. You enjoy the privilege of discussing anything that is within the rules but, please, just refrain from addressing fellow members individually. That way, we are able to criticise one another within the realms of the rules that govern us.

The Member for Kimilili, you also want to say something on this.

Hon. Didmus Mutua: Thank you, Hon. Speaker, for giving me this opportunity. I just want to say that, as a House, we are setting a very bad precedent. It is not just about the Reports that we need, but we need concrete and detailed reports. Every member is aware that these Committees were constituted a few weeks ago and members need time to read these Bills. These are very important Bills. We are not just going to push the Members to bring here half-baked

reports that they have not done enough research on. We should not blame the chairmen and members because they need time to read these existing Bills so that they are able to bring something that is very important and that is going to guide the members in debating and passing quality laws for this country. That is all I wanted to say. We should give them time to read and do proper research and bring quality reports for us to debate. Just pushing them is setting a very bad precedent.

Hon. Speaker: Member for Kajiado North.

Hon. Manje: I also want to say it is good for the Order Paper to have order by itself. This is because like yesterday, we were expecting the first Bill in Second Reading to be the Computer and Cyber Crime Bill, which we had prepared for. So, when you come and find a different Order, then you are not prepared. I thought it is good for the Order to be predictable. For example, on Tuesday, we should have an Order that we have done research on so that we can also be effective.

Thank you, Hon. Speaker.

Hon. Speaker: It is also fair to point out that initially, it had been planned that this afternoon, there was going to be debate on the appointment of members to the Parliamentary Service Commission (PSC) and you know who has occasioned the delay. That was meant to be in today's business. So, even as people criticise, they must also soul search. I do know for a fact that in the House Business Committee (HBC), it was expected that today was going to be the day we were going to deal with the appointment of members to the PSC. Again, the request of the Leader of the Minority Party, which request I acceded to, that business had to be taken out of the Order Paper today as it was being prepared so as to accord them an opportunity. I think that is why they have walked out to go and try to build consensus. I do not know whether these ones who are left behind are still part of the team that is going to help them build consensus. I can see Hon. Chris Wamalwa is still comfortably relaxing here. You are not part of the team that is supposed to build consensus.

Member for South Imenti, what do you want to say about this?

Hon. Murungi: Thank you, Hon. Speaker. I thought I could have said it a bit earlier but it is still in order to give my comments. Some Members have insinuated that there is no business this afternoon because the business on this Order Paper could take us up to six hours by discussing these three important Bills. Therefore, Hon. Speaker, it is not your mistake at all and it is not the mistake of the Leader of the Majority Party to have these Bills dropped this afternoon. I met the Chairman of the Departmental Committee on Transport, Public Works and Housing in a certain meeting yesterday and I remember he insinuated that he is very busy this week. It is now that I am remembering. Maybe, he is trying to come up with this important Report so that he can table it next week. Maybe the time caught up with him. That is why these two Bills are here this afternoon.

Hon. Speaker, we have our new kid on the block, the Special Fund Accounts Committee. I thank you, Hon. Speaker, for this was your brainchild and you thought it wise to have that Committee in this 12th Parliament. Most of our Members do not know the work of the Special Fund Accounts Committee and I want to inform them that from next week, we have a backlog of the National Government Constituencies Development Fund (NGCDF) audited accounts which have not been checked by Public Accounts Committee (PAC) from the year 2013. Most of the Members were around from the Financial Years 2013/2014 and 2014/2015. From next week, the Committee, which I chair, will start looking at those audited reports and, maybe, we will be summoning your fund managers. We really welcome those who will be willing to attend the

sessions so that they can know how their constituencies are faring, but they should know that we are not targeting the Members of Parliament because they are not the accounting officers. We shall be availing correspondence to whoever will be interested to attend those sessions from next week so that they can participate in our discussions.

Thank you, Hon. Speaker.

Hon. Speaker: It should interest any Member when he hears that his fund manager is appearing before your Committee. It should interest a Member from a particular constituency to know what it is that the fund manager may be saying. The Members are not the accounting officers. However, politically, if there is an adverse report out there, it will have some bearing on the Member or the standing of the Member within his electorates. You made an important announcement Hon. Kathuri. It is also important for Members to take note of that because as he has said, those accounts are very many. Even now, the Leader of the Majority Party has just tabled some more reports. He tabled others yesterday. So, I believe your work is cut out.

The important point to make here is that I know that many of the committees are beginning to have their sittings, but there is no harm in either the Chair of a committee, Vice Chair or any Member designated by that committee to appear before his colleagues here on the Floor of the House to give some progress report. They may be very busy doing some work in taking views from the public, but it is only fair that the House gets to know that the Committee is not ignoring the fact that they are required to be in the House. I do not want to have a general condemnation of all Chairs because as you say, they may be busy working. I am also aware of other situations. For instance, the Liaison Committee is supposed to hold its induction workshop tomorrow. I do not know which Chairs may have left Nairobi in the course of today because I do not deal with that.

Has Hon. Pkosing arrived? He has caused a lot of furore in the House. Please take the microphone, lest you will be condemned unheard.

Hon. Losiakou: Thank you, Hon. Speaker. I hope I did not cause a lot of uproar. I was looking for peoples' cows. Nobody here has cows. You know where you can find cows.

The Departmental Committee on Transport, Public Works and Housing is almost ready, particularly on the Kenya Roads Bill, but not on the other one. We have been doing a lot of work. I would like to report to this House that my Committee has been very busy. In fact, even this afternoon, I was doing some logistics because we are retreating today to consider the views from the public participation. I am very certain that by Monday, we will be very ready with the Kenya Roads Bill. The leader of our party told us yesterday that this should be considered as one of the very important Bills. We are up to the task. We have done a lot. We have combined the report. We even had the first historic opportunity to agree with governors. They appeared before my Committee. For the first time in the history of this country, the governors appeared before a committee of the National Assembly, through their Chair of infrastructure. We had a lot of good interaction. I think this country will be very different this time. We will bring here a very good Bill which is consolidated, well thought out and written.

I would like to ask the indulgence of the House. Let me say this so that nobody misunderstands my very able Committee. We were not told that our Bill would come today. I agree with you on what you said earlier that many people knew we were coming to discuss the Parliamentary Service Commission and other business. However, we should be ready at any time. I want to assure the House and you that we will not let the House and the people of Kenya down. We will be ready for the Kenya Roads Bill from Monday next week.

This is a serious Committee. I thank you, Hon. Speaker.

Hon. Speaker: Are you giving an assurance that even the report will be ready?

Hon. Losiakou: Hon. Speaker, we will conclude the report on Saturday in the evening. So, I am sure the report will be ready on Monday.

Thank you, Hon. Speaker.

Hon. Speaker: That is good update. So, there is no need to condemn Hon. Pkosing. There are Members who are on intervention. Hon. Wamalwa.

Hon. Wakhungu: Thank you, Hon. Speaker. I want to thank Hon. Pkosing for that information. However, it seems that he was not brought to speed to know that the two Bills, even the Nairobi Metropolitan Area Transport Authority Bill, fall under his Committee. This is a very critical Bill because we have opinion that it might be unconstitutional, and will interfere with the counties. You need to invite the respective counties, particularly Nairobi County, which I am sure will have a lot of interest pertaining this Bill, so that you bring this work to us. I was just reminding you.

There is also the issue of the National Government Constituencies Development Fund (NG-CDF). In September last year, we passed Supplementary Budget under the chairmanship of the *Ad hoc* Committee on Budget under Hon. Limo. Some of the amendments we made affected the overall disbursement of our NG-CDF. Each constituency was to get Ksh101million. But it was reduced to Kshs86 million, and yet Hon. Members from different constituencies had already submitted their proposals. It needs to be revised. We were told that is why there is that delay of the disbursement of NG-CDF money. We know many children rely on this money for school fees. The bursaries have not been paid. The National Treasury has not released this money. We are lagging behind in implementation of this project. I am inquiring whether the Leader of the Majority Party has any information on this issue which is really affecting the Members of Parliament. How will we bridge from Kshs101million to Kshs86 million? I know many Hon. Members might not be aware of that, but that was the implication of that Supplementary Budget that came in September. That is why NG-CDF Board has revised the money from Kshs101million to Kshs86million in every constituency. It is something that we need to think on how we will compensate that.

I thank you.

Hon. Speaker: The supplementary estimates merely come here as proposals. It is this House that passes them. Indeed, you passed the supplementary estimates. Unless Hon. Wamalwa is suggesting that you had taken some aspect of his faculties to sleep, you can only blame yourselves. I only present what you pass. You passed that. I think your message has been received by both the Leader of the Majority Party and the Chair of the NG-CDF Committee. The Leader of the Majority Party wants to say something on that.

Hon. A.B. Duale: Thank you, Hon. Speaker. One, the Nairobi Metropolitan Area Transport Authority Bill is constitutional. There is no Bill that is published without the Speaker appending his signature. Hon. Wamalwa needs to read that Bill, enrich it and then take the opportunity as provided in law of legislative powers given to you.

Hon. Speaker, on NG-CDF, you said it very well. The Supplementary Estimates 2 will be brought to the House. So, through the Budget and Appropriations Committee and the 290 Members, you can correct that mistake. The powers are with you, but not with the Speaker. I am sure the Chair of the Budget and Appropriations Committee has heard that. When the Supplementary Estimates 2 will be availed, they will correct it.

Thirdly, money was availed to the CD-CDF Board but majority of the Members have not submitted their projects. There is no way the Board can disburse money to you, if you have not

submitted your projects. There are very few Members who have submitted their projects. We ask the rest to submit. There was no indictment on Chairs, the leader or Speaker. We wanted to do something better in the 12th Parliament. Even when Committees bring reports, Members will read and enrich them, and then take part in the debate at the Second Reading. The committee will present the stakeholders views. If it is a Government's Bill, the Leader of the Majority Party will provide the position of the Government.

When we come to the Committee of the whole House, we will either agree or disagree with the Government and the various stakeholders. We even have the powers to change the title of the Bill. So, Hon. Wamalwa has the power to change the title of the Nairobi Metropolitan Bill. In fact, he can call it Nairobi County Bill, if he feels like it.

Hon. Speaker, we are doing well. As you said, tomorrow we have a meeting of the Liaison Committee. We will discuss all the issues concerning chairpersons, reports and timelines in tomorrow's retreat. We are doing all these things to make sure that those who will come after us in the 13th and 14th Parliaments pick from the best of the best. We will not ourselves, as legislators, reduce anything.

I want the Minority side to speed up and get consensus on the irreducible minimums. I used to be in Orange Democratic Movement (ODM). The words "irreducible minimums" are only in the Opposition. Let them try to reduce the irreducible between now and Monday so that come Tuesday, we give the Speaker, who is also the Chair of the Parliamentary Service Commission (PSC), people he can work with. He is now working with some people who lost in the elections and yet, they are Commissioners. He cannot tell them to go away. So, as the 12th Parliament, we need to move fast. It is now eight months since we were elected. We should elect the men and women who will represent us in the PSC in the 12th Parliament. We have many pending issues concerning our welfare. Those welfare issues cannot be dealt with if the Speaker has no Members who have a fresh mandate.

Hon. Chris Wamalwa is the only leader from the Opposition side in the House at the moment. "Please, look for your principals, their deputies and other Members within the rank and file of your coalition and then try to reduce the irreducible." Let us agree on two or three people: two of either gender and then we close this chapter the way we did on Cabinet Secretaries yesterday.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Angwenyi, do you want to add to what the Leader of the Majority Party has said?

Hon. Angwenyi: I just want to add on to what the Leader of the Majority Party has said and also inform Hon. Chris Wamalwa that what we have discovered here today is that this House actually voted against itself. We suffered that as Members of PSC. We make our budget and yet this House reduces it without knowing. It is the same thing with the National Government Constituencies Development Fund (NG-CDF). Let us wait for the Supplementary Estimates to be tabled here and then we restore the money to our accounts. Thank you.

Hon. Speaker: Hon. Members, Hon. Jimmy Angwenyi will always drive his point home by banging the table.

(Laughter)

He comes from a different school of thought.

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other business for the House to transact, and the time being 3.24 p.m., the House stands adjourned until Tuesday, 20th February 2018 at 2.30 p.m.

The House rose at 3.24 p.m.