QUESTIONS

Date: 17th April 2012
Member of Parliament: Hon. Millie Odhiambo-Mabona
Contribution she made on: Implementation of Section 53 of Employment Act

She inquired from the Minister of Labour:

a) When he will make regulations under Section 53 of the Employment Act on activities that are deemed harmful to the health, safety and morals of a child between 13-16 years of age; and,

b) What is considered “light work” that a child can undertake under the law.

Date: 18th April 2012
Member of Parliament: Hon. Sophia Abdi Noor
Contribution she made on: Beneficiaries of Scholarships in Hulugho/Ijara Districts

She inquired from the Minister for Higher Education, Science and Technology:

a) Whether she could provide details of students from Ijara and Hulugho districts who have been awarded scholarships, both in local and overseas universities, by both the Government and development partners from 2008 to date; and,

b) What immediate action the Government will take to ensure access to higher education by all persons in Ijara Constituency.

Date: 18th April 2012
Member of Parliament: Hon. Beatrice Kones
Contribution she made on: Delay in Recruitment of NEMA Director-General

She inquired from the Minister for Environment and Mineral Resources:

a) Why there has been a delay in the appointment of the Director General of the National Environmental Management Authority (NEMA);

b) Whether he could provide a list of all candidates that were shortlisted by the recruiting agency and state when the appointment will be made; and,

c) Whether he can confirm that the appointment will be made according to the recommendations of the recruiting agency.
Date: 18th April 2012  
Member of Parliament: Hon. Peris Chepchumba  
Contribution she made on: Implementation of Bankable Energy Efficiency Project in Kenya

She inquired from the Minister for Energy:

a) What programmes the Government has put in place to ensure that Kenyans achieve maximum benefits from energy saving equipment;

b) What energy usage benchmarks the government has developed for the various sectors of the economy; and,

c) Whether the government has developed and implemented a Bankable Energy Efficiency (BEE) project in the country and, if so, how many such programmes have been implemented in Eldoret South Constituency and at what cost.
ORAL ANSWERS TO QUESTIONS

Date: 17th April 2012
Member of Parliament: Hon. Charity Ngilu
Contribution she made on: Number of Boreholes Drilled in Tana-River County

She responded to the question raised by Hon. Nuh by saying:

a) The details of the successfully drilled boreholes in Tana River County since 2003, as requested by the Member for Bura, were given in Annex I which she had since presented to him. The details in the report included the respective location, the Government agency concerned; the responsible contractor, the amount of money utilized and the status of each borehole.

b) The tender to construct Haroresa and Walesorhea boreholes was among the tender for the four boreholes that were to be equipped and also included construction of civil works. This contract was awarded to M/s Pure Water Resources Limited of P.O. Box 40541, Nairobi. Drilling of the two boreholes had earlier been successfully undertaken by the National Water Conservation and Pipeline Corporation. The contractor was last on site on 24th March, 2011 and had been very uncooperative to the Ministry’s demands for his presence to enable them to carry out a joint determination before bringing the contract to closure. She added that it was for that reason; the Ministry was now carrying out measurement of works so far undertaken on site with a view to terminating the contract and ensuring that they get another contractor to do the work.

c) The two boreholes, namely, Haroresa and Walesorhea, had not been completed to date. However, She held that she had instructed her Permanent Secretary (PS) to fast-track implementation of outstanding works in-house to enable the beneficiaries to access water. She added that the local District Water Officer in Bura was already working on these instructions and had already set aside Kshs7 million that had been released for this purpose to do the works as expected. That she said would ensure that the residents have water. She further added that she had also assigned a new water bowser to the area while these works were ongoing.

Date: 17th April 2012
Member of Parliament: Hon. Prof Margaret Kamar
Contribution she made on: Beneficiaries of Scholarships in Hulugho/Ijara Districts

She responded to the question raised by Hon. Sophia Noor by saying:

a) The records at the Ministry indicated that no student from the two districts had been awarded a scholarship overseas or locally and this was mainly due
to the fact that the Ministry had not received applications from qualified candidates from the two districts for consideration in the last three years and added that was because those are competitive scholarships.

b) The Government had for many years now, adopted affirmative action to increase access to university education to people particularly from Arid and Semi Arid Lands (ASALs) and Ijara and Hulugho districts were categorized as ASAL areas and as per the Joint Admission Board (JAB) admission criteria and guidelines of 2005, candidates from such areas were admitted with points one to five lower than from the other parts of the country, two for gender, two for ASAL and one for special conditions.

c) She added that a girl who was disabled could get a maximum of five and further stated that the Government was in the process of establishing a university college in Garissa, it had already been gazetted and the council was being processed and once that is complete, the people from Ijara, Hulugho and any other area within Garissa County would access higher education at a relatively closer range than the case is right now.

d) She further pointed out that local universities were also establishing satellite campuses in ASAL areas and that within Garissa one university had already established a campus for the purpose of taking higher education closer to the people.

e) She noted that while the Ministry had provided a list of local scholarships, there had been a change of policy in the Ministry and local scholarships would be launched under the Higher Education Loans Board (HELB) and currently, all the scholarships at the local level have been offloaded and the money transferred to HELB.

f) She pointed out that the ministry was giving loans through HELB, which was accessible to all students and added that that was a brilliant idea because any student who had scored C+ and above can access a loan.
QUESTIONS BY PRIVATE NOTICE

Date: 26th April 2012
Member of Parliament: Hon. Linah Jebii Kilimo
Contribution she made on: Wrangles at Bingwa Sacco Kerugoya Branch

She responded to the question raised by way of private notice by Hon. Gitari by saying:

a) That she was aware of the wrangles at the Sacco
b) That all the stakeholders including the complainants, directors of Bingwa SACCO Society, the district security team and her Ministry, have agreed that the AGM would proceed as scheduled on 27th April, 2012 uninterrupted, and the cancelled elections would be held on 11th May, 2012 and added that arrangements were underway to ensure that security was provided at the meeting.

Date: 26th April 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Assault/Eviction of Students from Yusuf Haji Secondary School

She asked the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice

a) If the Minister was aware that 28 students of Yusuf Haji Secondary School who hailed from outside Ijara (but mostly from Galole Constituency), were assaulted and forcefully evicted from the school on 24th March, 2012 and, if he did, how many students were injured in the incident
b) What measures will the Minister was going to take to ensure that the affected students continue with their studies in the school

She also asked whether the Minister considered compensating all the students whose personal belongings were taken away by fellow students

c) Whether he is aware that Government land, numbers LR 209/10219and LR 209/10220, situated in Mukuru kwa Reuben and meant for a community school, police post and dispensary, were illegally consolidated and issued to an individual as LR 209/11887
b) Whether he was also aware that the said land had been used to secure a loan; and,

Date: 26th April 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Illegal Allocation of Land at Mukuru Kwa Reuben

She asked the Minister of Minister for Lands the following Question

a) Whether he is aware that Government land, numbers LR 209/10219and LR 209/10220, situated in Mukuru kwa Reuben and meant for a community school, police post and dispensary, were illegally consolidated and issued to an individual as LR 209/11887
b) Whether he was also aware that the said land had been used to secure a loan; and,

What measures he would take to ensure the said parcel of land reverts to the community.
Date: 18th April 2012  
Member of Parliament: Hon. Dr. Joyce Laboso  
Contribution she made on: Appointment of a Team to Interrogate/Determine Farmers’ Shareholding in New KCC

- She supported the motion saying that milk, courtesy of KCC had played a big role in her life. She said that she went to school courtesy of milk that was processed through the old KCC and which sadly was no longer there.
- She went on to say that recently, the Minister for Co-operative Development and Marketing paid a visit to farmers in Sotik and at the meeting the farmers indicated that they sold their cows and all their assets, and in their view, they did not owe the Government a single cent, and that the plant was their property.
- She raised her concerns saying that it was very clear that what the Government was trying to do was not only absolutely illegal but also it was not warranted! She further added that the farmers did not deserve to be taken for granted. She reiterated that the kind of money that the Government injected to revive the New KCC did not justify the move to own and privatize it.
- She supported the farmers claim to the New KCC and added that the farmers wanted to maintain control of their assets as opposed to taking them to the stock exchange.
- She cautioned against the move noting that should the government decide to pursue the move and enlist the company in the stock exchange the farmer will be completely forgotten. She called for the speedy formation of a reconciliation team that will then go round all the New KCC assets and put them together, so that we can know what the farmers were worth.
- She also noted that they would also quickly make a decision and that even if privatization were to happen, it would not happen until the country had moved into the county governments.
- She argued that in devolved government, the county’s would want to own assets located in their jurisdiction and the KCC plants were no exceptions. She added that in her own Bomet County; the KCC plant in Sotik, was one of the very few assets that we would have and that with that, and maybe two or so other processors, those are some of the assets that we would be using to develop their county.
Date: 18th April 2012  
Member of Parliament: Hon. Prof. Margaret Kamar  
Contribution she made on: Appointment of a Team to Interrogate/Determine Farmers’ Shareholding in New KCC

- She supported the motion by stating that it was important especially to those who not only knew KCC’s history but also were raised by who sold milk to pay their children’s school fees.
- She noted that in the past farmers never sold just raw milk; they sold processed milk, and the farmers of this country were extremely advanced, in fact, while talking about value addition today, farmers used to do value addition as far back as the 1970s.
- She continued by stating that the farmers did value addition because they were paid for the fresh milk, the cheese they sold and for the powder milk they sold to the army. So the whole processing of milk was in the hands of farmers through the KCC. The KCC was the only property that farmers in the North Rift owned.
- She was saddened by the changes that had taken place in KCC from the original KCC, the New KCC to the current KCC which was a Government parastatal that more or less cut off the farmer.
- She argued that KCC was an asset that had owners and thus it could not be privatized. The ownership she added was known and it belonged to the co-operative societies which in turn were owned by the farmers. She went on to state that if the farmers were asked to give us their registers right from the local areas they would be able to produce them and also prove ownership.
- She claimed that when these changes took place, the supposedly collapse of the KCC came, and people lost money when they were exiting. She argued that there was money which was still supposed to be given to these farmers, a fact that nullified the talk of the KCC having debts.
- She added that the farmers were right to say that they did not know how they acquired these debts because they did not owe anybody anything. At the time, they were owed money for their last collection of milk which they had not received up to now.
- She urged the Minister to ensure that farmers get their rightful shares. She suggested they must look at the original shareholders; farmers and added that it is they that should be given the first and only priority to own KCC.
- She cautioned against the inclusion of the business community unless the farmers themselves would like to have them in. She stated that the arrangement would be like a company that belonged 100 per cent to the original owners who were the farmers, so that they only attract shareholders who are also farmers, and then considerations for the business community would be made.
She added that fully transforming ownership to the business community maybe detrimental as they did not know the milk production process and were only interested in the profits, unlike the farmers who are involved in every step of the way and have experience too.

She pointed out that it was sad that despite the improvements over the years, the rich sector that had once produced milk for some key institutions like the army had lost this to imported products.

She reiterated that it was of essence that the Motion reads the shareholders who should be considered in the next venture should be farmers themselves and for that reason she supported the Motion that the shares are not sold outside the farming community and that it should be exclusively for farmers and unless the farmers themselves were not able to afford the shares, only then should they sell to anybody else.

She also pointed out that the Government had no business having shares in a co-operative society because a co-operative society belonged to farmers. She added that the Government was only playing a custodian role while the farmers prepared to take up the shares back.

She stated that it was important that the shares be sold back wholesomely to the farmers by first recovering the original shareholders then ensuring the remaining shares be given to children of the same farmers who may want to be given shares themselves.

She strongly recommended the plan for the plant privatization be halted, so that the farmers convert themselves from the co-operative society to the private company, if they so wished and if they wished to continue as a co-operative society they also do so provided the choice still remains as theirs. She concluded that the farmers were very strong and would sort themselves out.

Date: 18th April 2012
Member of Parliament: Hon. Peris Chepchumba
Contribution she made on: Appointment of a Team to Interrogate/Determine Farmers’ Shareholding in New KCC

- She supported the motion by stating that she too was a beneficiary of the milk business courtesy of the KCC adding that this gave hope to many Kenyan children, including her.
- She however declared her displeasure that the farmers who once owned assets totaling up to Kshs5 billion could not claim ownership because they had been arm-twisted and inquired where the money the farmers had worked so hard for had gone
- She pointed out that the assets of the company belonged to the farmers. She further stated that the same Government bought shares from the same
company and renamed it the “New KCC.” But the assets still belonged to the farmers.

➢ She further stated that the Government was taking the farmers for a ride and added that contrary to common beliefs, farmers used to have value addition to the products that were made by the KCC but that too had been lost and the New KCC plant in Eldoret currently just processes raw milk and it cannot even process butter and many other products that it used to process.

➢ She blamed this trend on other malicious player keen on paralyzing the institution and pointed out that the plant was one of the few assets that the locals would be left with when devolution took place, as it was rightfully theirs.

➢ She supported the notion to form a team to investigate the genesis of the problem and what led to the collapse of KCC, how the New KCC came to own the shares.

➢ She also reiterated that in the past, the Government provided a market for farmers’ milk through the free milk program for school going children.

Date: 19th April 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Approval of Supplementary Estimates: (Recurrent and Development 2011/2012)

➢ She supported the motion but cited some reservations on the same. She questioned the legitimacy of the KShs 1 Billion allocation for the Lamu project noting that like other mega projects it was suspect having been brought in during the election year.

➢ She further raised her concerns on the validity of the project stating that it was unclear why it was being hurried up, and inquired whether the Government was hiring experts who were saying that it may be better for it to be inland rather than on the coastline, with the knowledge that the coastline rises by a certain number of centimeters or meters every year.

➢ She noted that this was an area of concern, especially when the country was short of money; She questioned whether this was a priority area.

➢ She supported the increase to the health sector in order to meet the salaries and remuneration of nurses and other medical personnel. She added that this was an area that further needed to be checked noting that they may even deserve more than allocated in the sense of also providing the necessary facilities for them to carry out their duties.

➢ She also supported the allocation of money to the security forces in Somalia, but noted that recently the forces became part of the African Union Mission in Somalia (AMISOM) and that international partners were contributing to the effort. She inquired whether there was a possibility that the Kshs12 billion
allocation was going to be reimbursed further noting that if it would be it could be channeled to other much needed areas

- She stated disappointment at the reduction of the money allocated to the Independent Electoral and Boundaries Commission (IEBC). She pointed out that the Government appeared to be doing all within its power to sabotage elections within the fifth year, which was December this year.

- She further added that though the IEBC had announced a date, the matter was still in court and further stated that she like many other Kenyans supported a date within this year, which is what the Constitution envisaged. She further added that even in the worst dictatorships, the date of elections was always within the five year limit, or there is five-year term, and election is never outside it.

- She recommended there was a plot to ensure that the IEBC does not do the necessary preparations which would enable a credible election in December. She called on the government to stop acting like they are in control of the process and also added that the only solace is that the Budget would come back to the House in June and then if it wasn’t corrected it could be done then.

- She recommended the revocation of any funding to the Electricity Regulatory Commission (ERC) and putting it to a worthy cause, due to what she termed as the arbitrary and constant increase of fuel and electricity costs. She noted that while this body was supposed to protect the interest of Kenyans it appeared that their primary duty was to protect the big companies which were operating in the energy sector.

- She supported the enhanced allocation to the teachers citing the Governments promise to Parliament that it would employ more teachers and, therefore, making this allocation a worthy cause.

- She however questioned the Minister whether money for the retired teachers was factored in this after consultations with the Attorney-General on some technicality after having kept them waiting for five months

- She expressed her dissatisfaction with the money that was being taken away from the Ministry of Water and Irrigation. She pointed out that the government kept money to buy food because it cannot feed its people and would have rather focused on providing money for the Ministry of Water and Irrigation so that the country can have sufficient water infrastructure to harvest water and stop relying on rain-fed agriculture; adding that this showed a Government that was devoid of forward planning and that only wants to continue managing through crisis.

Date: 25\textsuperscript{th} April 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Thanks for Presidential State of the Nation Address
She gave partial thanks for the address citing her reservations about how the Grand Coalition Government had focused or/and had sought to improve the lives of people. She noted that if they tried, then they had failed because a majority of the people could afford even their daily meals and a majority of the people could not access the basic services such as healthcare, housing and even the education that was supposed to be free when children had no food and no proper shelter, not everybody was benefiting.

She pointed out that this was an area that the Government had to think about. She pointed out that even though the economy was growing it didn’t have a trickle-down effect to the common man and noted that the disparities in income were growing instead of narrowing.

She argued that while the House had passed legislations beginning with the Constitution and legislation to support human rights, the behavior of Government agencies, for instance, the police was still wanting and exemplified this by the course of law enforcement where the police where behaving like the Constitution and laws did not exist and they trample on people’s rights.

She added that while we cannot stop the police from doing their duty of law enforcement but they did not have to be brutal in order to do so giving the example of the young man who was they clobbered during a rally in Limuru.

She pointed out that though the Constitution had created 47 counties many of the politicians were living in the past, talking of Rift Valley, KAMATUSA and GEMA of Central. She reminded the members that the Rift Valley as a province has ceased to exist just as the Central as a province has ceased to exist and in its place were five counties and in place of Rift Valley is 13 counties.

She pointed out that it was time people started developing pride in counties and reiterated that Kenya had 47 counties and Kenyans must identify themselves with Kenya as their country and their county and no longer in tribes and suggested that the outdated politicians learn that and let Kenyans stop outdated politicians from polarizing the country.

She was surprised that the President talked of the Bills that the House had to pass, including the Bills relating to land without mentioning the Bill to enforce Chapter Six on integrity.

She added that the President also failed to mention the Campaign Financing Bill which in her opinion were very important Bills. She urged the House to prioritize these two Bills, which have to do with the elections.

She called for police reforms noting that the police was discriminating in enforcing the law. She added that they were discerning certain groups and supporting others, and she called for justice, fairness and consistency in the way they applied the law.

She commented on the issue of the International Criminal Court (ICC) by pointing out that when she was a minister, she tabled the Bill for the local
tribunal and asked for support from the President and the Prime Minister but none of them gave and they seemingly chose the “do not be vague, ask for Hague” option, and therefore she questioned why they were being vague at this time.

She also questioned why the government was showing partiality in application of the law, and pointed out that the Government had put its machinery at the disposal of the suspects, and yet it had not put the same machinery at the disposal of the victims.

She noted that while there was nothing wrong with wanting a local tribunal, but the questions that remained were: will it have an international component because this was a highly emotive political issue? Was the Government looking for an international component so as to depoliticize this particular matter

She cordially asked the President to utilize his friendship with Al Bashir to ensure that he brokers peace between Sudan and South Sudan. She added that the country did not need war; it needed peace in the region.

She also urged the five leaders of the East African Community (EAC) to reconsider their decision to reject the application of Sudan as a member of the EAC. She argued that as a region, we should be ready to admit the two Sudan’s as members so that we are able to ensure regional stability and peace.

She lauded the Kibaki Government for the transformations in infrastructure, but was quick to add that there was one word missing from their vocabulary, the word “maintenance”. She recommended the adoption of the word to ensure there was expansion and maintenance.

Date: 25th April 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Thanks for Presidential State of the Nation Address

She passed her condolences to the families who lost their loved ones in the flash flooding in Hell’s Gate in Naivasha and Gwasi and those who lost their property in Lambwe. She noted that these were the effects of climate change and urged the Government to step up its efforts to mitigate the effects of climate change

She noted that while the President was urging the House to pass constitutional laws that would ensure the implementation of the Constitution, one law that the President consistently forgot about was the Counter Trafficking in Persons Act. She added that there were many Kenyans who were dying because of issues of trafficking in persons and requested the President to assent to it so that it comes into effect.
She pointed out that when the President talked about certain laws that would ensure free and fair elections; he tended to address Parliament much more than the institutions. She urged the Independent Electoral and Boundaries Commission (IEBC) to play above board and stop being partisan.

She addressed the issue of Internally Displaced Persons (IDPs) that the President spoke about, commending the government for dealing with the issue of IDPs. She however pointed out that in his speech he did not mention the alleged integrated IDP and pleaded with the government to address those IDPs and stop discriminating them on ethnic basis.

She thanked the President for his call to stop the politicizing of the International Criminal Court (ICC) and urged the President to further talk about the issue since some politicians were blatantly politicizing the issue. She added that the process had already begun and if the solution was bringing the cases back then legal redress should be sought to put the matter straight.

She commended the President for pointing out that the university intake had increased to 200,000 from 20,000 in 2002. She however was quick to caution that while the number had increased there was a chance of substandard universities coming up and this would compromise the quality of education.

She noted also applauded the President for speaking on the CDF and noted that while there were people who were saying that it was unconstitutional, there was nothing unconstitutional about CDF. She pointed out that it had helped marginalized parts of the country and the people who seemed to oppose it were people who had benefitted in the past.

She also pointed out the Presidents point on the issue of food security was noteworthy but was quick to add that he seemed to again focus on agriculture only while forgetting areas that rely on fishing only. She noted that there was a ban on fishing of omena and she requested the Government to lift the ban and find alternatives of dealing with that issue because places like Uganda do not do that.

She also pointed out that the issue of security was worrying. She added that there was a growing and worrisome trend of intimidating people in relation to the issue of security. She asked the members of the House to stop politicizing the issue as it was a very sensitive issue. She commended the judiciary for the good job and hoped that unlike the police it continues being unbiased.

She also called out to the Government to protect the interests of the people of Turkana now that oil had been discovered in the area.
BILLS

Date: 17th April 2012  
Member of Parliament: Hon. Dr. Joyce Laboso  
Contribution she made on: The Kenya School of Government Bill

➢ She confirmed that the Committee of the whole House had considered the Kenya School of Government Bill and approved the same without amendment.

Date: 17th April 2012  
Member of Parliament: Hon. Joyce Laboso  
Contribution she made on: The Public Service Superannuation Scheme Bill

➢ She confirmed that the Committee of the whole House had considered the Public Service Superannuation Scheme Bill and approved the same without amendment.

Date: 17th April 2012  
Member of Parliament: Hon. Joyce Laboso  
Contribution she made on: The Kenya Deposit Insurance Bill

She confirmed that the Committee of the whole House had considered the Kenya Deposit Insurance Bill (Bill No.55 of 2011) and approved the same with amendments.
Committee of the Whole House

Date: 19th April 2012
Member of Parliament: Hon. Dr. Beatrice Kones
Contribution she made on: The Finance Bill

- She moved that the following new clause be inserted immediately before clause 2, after the heading “Part II – Customs and Excise” - Amendment of Section 95 of Cap.472 1B.
- She also recommended Section 95 of the Customs and Excise Act be amended-
  a) in sub-section (5) by inserting the words “or such further period, not exceeding six months, as the Commissioner may, on the application of a licensee, permit in respect of that license” and by inserting the following new sub-clause after sub-clause (5)- “(6) The Commissioner shall ensure that a metering device prescribed under subsection (4) does not compromise the safety of goods or materials that are manufactured by a licensee or the health of consumers of the goods or materials.
- She explained that the amendment she had proposed was aimed to achieve some sort of fairness within the sector and exemplified this by citing a case the previous year where the House had moved an amendment that all factories were supposed to install what we called flow meters in certain factories and gave a specific deadline by which those factories had to install them; however quite a number of those factories were not able to meet that requirement within that period; and it was the feeling was that the house could, probably, give them another grace period so that if they were not able to do that within that period, the Commissioner would be given the power to act in another six months thereafter depending on the reasons for those factories’ failure to install the meters.

Date: 19th April 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: The Finance Bill

- She supported the amendments to the Bill but also carped what hon. Mbadi was saying, that the matter did not just affect the middle class, it affected everyone including rural Kenyans; from people who did not go to school; people who are struggling.

Date: 19th April 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: The Finance Bill

- She questioned the rationale behind the justification of the three month notices stating that in that time bankers, civil servants and nurses houses will start being repossessed and added that the effect of a house being
repossessed is similar to that of a house being demolished, like was witnessed in Syokimau.

She pointed out that the interest rate caps in question were provided under Section 4(d) of the Central Bank of Kenya Act. She stated that there was the Kenya Federation of Bankers was a cartel and the Government had allowed cartels to run this country as Government called “coalition”.

She cautioned all those who were a part of the scheme including the Prime Minister and the Government that they were on notice and that the country will not be run by cartels.

She noted that the Government has seemingly refused to act to tame the cartel of bankers, and who without being dealt with would continue to run the country.

She suggested the use of the Central Bank of Kenya (CBK) rate to cap the commercial bank interest rate at 4 per cent above the KCB rate and further added that if banks cannot make profit from that it would be of no consequence because most of them made billions of shillings in profit the previous year.

Date: 25\textsuperscript{th} April 2012

Member of Parliament: Hon. Martha Karua

Contribution she made on: The Land Registration Bill

She opposed the amendment to clause 29 pointing out that the Mover was not appear to be actually clear on what he is moving. She added that his call to delete spousal rights so that it was not restricted to spousal rights was unclear and rather than deleting, an addition was needed.

She pointed out that the spousal rights clause was put there and it was just a repeat of what was in the Bill of Rights word for word and added that it was meant to safeguard parties to the marriage, both men and women. She cautioned the deletion of the clause would weaken that stipulation and set the stage for people to act unconstitutionally. She requested the Mover to withdraw it.

She called for the retention of the clause citing that the clause meant a lot in terms of entrenching respect for the Constitution and for everybody’s rights and asked her fellow legislators to support her.

She called upon the Mover to explain the amendment to Clause 37 pointing out that Clause 37 allowed unregistered instruments to operate as contracts in sub-clause (2).

She pointed that that particular clause could open up the constitution to cases of fraud and she added that the amendment did not address this and therefore she appealed to the Minister to move the deletion of clause 37(2) to prevent the uneducated people living in the countryside from being duped into signing things that are unregistered and later losing their land.

She asked for clarification from the Minister on Article 62(2) of the Constitution, which she noted stated that public land shall vest in and be held by a county government in trust for the people resident in the county and shall be administered on their behalf by the National Land Commission. She pointed out that the amendment was contrary to the Constitution to the
extent that it was calling the county government and the National Government as proprietors.

- She pointed out that this particular clause needed to be very clear and that the wording must be exact as in the Constitution – that they are holding it in trust for the people of Kenya. She added that in the case of the county, it was holding it in trust for the residents of the county.
- She asked that the Committee substitutes the wording to be exactly as in Article 62(2) of the Constitution and noted that while the amendment was well intentioned, the wording should be exact as in the Constitution to avoid any confusion whatsoever.

Date: 26th April 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: The Land Registration Bill

- She pointed out that when talking about issues of gender mainstreaming, there would be substantive laws but when dealing with specific laws, whether on land use, development or whatever is mainstreamed the issues of should be considered by looking at how they affect the specific work they do.
- She suggested that what Hon. Otichillo was trying to do was including climate change just before the word “environmental” or “heritage” was to bring focus to the fact that even when looking at development plans, the House needed to take into account the issues of climate change.
- She asked for clarifications from the Minister why the matrimonial property law was not included in the deliberations noting that the Bill had been pending for more than ten years.
- She pointed out that the provisions of Clause 59, especially Clause 59(i) stating if a spouse obtains matrimonial property for the co-ownership, (ii) if the matrimonial property is held in the name of one spouse or the other and it is a long thing; the whole of Clause 59 were clear and very specific in relation to matrimonial property.

Date: 26th April 2012
Member of Parliament: Hon. Peris Chepchumba
Contribution she made on: The Land Registration Bill

- She applauded the work the members had done and pointed out that gender issues had been considered in the Bill and added that it was a step forward that issues relating to women, had been considered.
MINISTERIAL STATEMENTS

Date: 25\textsuperscript{th} April 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Implementation of Police Reforms

- She passed on her condolences to the families in Dandora and empathized with the police who were attached at Hope International, and congratulated the Minister for acknowledging where there had been police excess and acting on them.
- She however questioned what action the Minister had taken on the Limuru incident pointing out that since the incident was televised and faces of the police officers who were clobbering the victim could be seen.
- She also questioned why police were using live bullets on people they wanted to disperse, instead of using tear gas and rubber bullets in the Dandora incident.
- She suggested retraining the Police Force as part of the reforms in order to address those issues and also called for the deepening of the police reforms

Date: 25\textsuperscript{th} April 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Attack on Hon. Imanyara

- She noted that while the Assistant Minister had told the House that the Government did not condone extra judicial killings the report by the Human Rights Commission and Professor Ashton shows that the Government has condoned repeated police brutality.
- She questioned the Assistant Minister why the body of the late Samir Khan that was discovered in Voi was taken all the way to Wundanyi, about 12 kilometers away from the scene despite the fact that the Voi Mortuary was the nearer.
- She also questioned the members of the Anti-Terrorism Police Unit (ATPU) who were investigating the allegations against Samir Khan and that were in court had been interviewed
**POINTS OF ORDER**

**Date: 18th April, 2012**  
**Member of Parliament: Hon. Martha Karua**  
**Contribution she made on: Attack on Hon. Imanyara**

- She pointed out that while the Assistant Minister had repeatedly said that Members use bodyguards, forty million Kenyans did not have the privilege of having bodyguards and therefore she called on the Assistant Minister to be serious with security.
- She asked for a Ministerial Statement from the Assistant Minister of State for Provincial Administration and Internal Security regarding the disappearance and subsequent murder of Samir Khan who was abducted on 10th of April at Nakumatt Likoni in Mombasa while they were boarding a matatu with one, Mohammed Kassim.
- She went on to note that while both were abducted, Mohammed Kassim had not been traced up to now, but the body of Samir Khan was discovered in Voi the next day on 11th. She asked the Assistant Minister to confirm whether the ten armed men who allegedly abducted the two were police officers and also elaborate on what action had been taken regarding the murder of that gentleman, and also what he was doing in regard to extra-judicial killings.
- She further inquired when the police reforms would be completed, and especially the formation of a Civilian Oversight Authority that would investigate police misdeeds.

**Date: 18th April, 2012**  
**Member of Parliament: Hon. Millie Odhiambo**  
**Contribution she made on: Attack on Hon. Imanyara**

- She pointed out that while the Assistant Minister had said that he was going to direct the matter to the Commissioner of Police, what Mr. Imanyara had said he went through the previous day was actually serious and he could have lost his life.
- She noted that the Commissioner of Police had in the past taken such issues very seriously, but he now made a mockery and a joke of them, and added that this raised some doubts on whether sometimes, indeed, the police were directly involved in such incidents.
- She went on to point out that when she was attacked the previous year, the Commissioner of Police had said that she had staged it. She said that despite being with the Late Commissioner Mary Onyango, they did not believe her and even refused to even question her to confirm the things that she said.
- She questioned the rationale behind entrusting the Commissioner of Police with the responsibility to deal with the matter especially if, indeed, the police...
force itself was suspect. She called on the Assistant Minister to assure the House that the police were going to the tide of police brutality and further exemplified this by pointing out Hon. Waititu’s mishandling by the police few days earlier.

Date: 18th April, 2012  
Member of Parliament: Hon. Rachel Shebesh  
Contribution she made on: Attack on Hon. Imanyara

- She pointed out that there were incidents that had been documented in the past month of excessive use of force by police and connivance by the police in criminal activities, especially around Nairobi, and especially around the Kilimani Area. Those details, she went on to add have also been in the Press.
- She asked the Assistant Minister to clarify the aforementioned issue and also further elaborate the role of the Commissioner of Police. She noted that the House needed to further investigate the matter just as it had for the extra-judicial killings, where over 10,000 young men from Central Province were killed. She argued that that while the issue that day was not the same, it still was extra-judicial killings in the name of criminals; and that there were definite extra-judicial killings happening.
- She further argued that there was also intimidation because of political affiliations and asked for clarification on whether the Commissioner of Police was politically affiliated to one side, and whether this intimidation would continue.
- She inquired from the Assistant Minister why he was contradicting the Commission on National Integration and Cohesion (NCIC) stand that clearly stated that the two meetings that had been held in the name of Gikuyu Embu and Meru Association (GEMA) and KAMATUSA had not been for ethnic cohesion or even cultural issues but rather they were meetings for bringing together forces to incite people against others.
PRIME MINISTERIAL STATEMENTS

Date: April 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Efforts by Government to Reduce Cost and Improve Access to Healthcare for All Kenyans

- She asked for clarification from the Prime Minister on what specific measures has the Government taken to enable him to say that they have achieved the MDGs in relation to Millennium Goal Number Six: Child health.
- She also asked for clarification on maternal mortality in terms of the ratio of maternal deaths per thousand as well as the issue of access to healthcare because she women could not access Government facilities for delivery without paying the amount of money required. She noted that in a Government hospital women are supposed to pay Kshs3000.
- She also inquired whether the Government had abolished maternal as a step to achieve the MDGs.
- She further questioned the rationale behind saying that the country has achieved some MDG’s when things like equipment to screen breast cancer, perform mammograms and also laboratory equipment for screening cervical cancer was absent?
- She further inquired from the Prime Minister the number of facilities in Turkana County where women went to deliver.

Date: April 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Efforts by Government to Reduce Cost and Improve Access to Healthcare for All Kenyans

- She acknowledged that the Prime Minister was giving a Statement on the current efforts by the Governments to reduce costs and improve access to healthcare for all Kenyans but questioned why the Government was opposing the Reproductive Health Bill that would cater for many issues that make the Government’s cost of taking care of its Kenyans almost double.
- She pointed out that women were not able to get free reproductive health services, which include pre-natal and post-natal care because the Government had been unable to bring that Bill for political reasons and added that while this continued to take place women were continuing to die.
- She urged the Government be bold and brave citing that the country had a Constitution that directly spoke to the issue of abortion, which was a very thorny issue in this Bill and added that the Constitution was now very clear.
- She called on the Government to bring the Bill to give women free reproductive health services and cut down the bill of the Government when it comes to healthcare in the country.

Date: April 2012
She pointed out that the cases of cancer are alarmingly on the increase and there were very few oncologists in the country that can deal with all the cases of cancer and inquired what the Government was doing to ensure that it invests in training more oncologists to deal with those cases.