JUNE 2012 HANSARD

QUESTIONS

Date: 6th June 2012
Member of Parliament: Hon. Shakila Abdalla
Contribution she made on: Issuance of Title Deeds to Schools Built on Forest Land

- She pointed out that the issue of title deeds on public utilities like schools lay with the county council and it was the county council which should give them as they knew the town plans and everything. She suggested the issue be passed to the county council as a Motion. She added that if they passed it in the county council and then they apply for the title deed from the Ministry of Lands.

Date: 6th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Afforestation of Mua Hills

- She pointed out that the Minister for Forestry and Wildlife was answering a Question that clearly needed more measures and that if the rapid loss of vegetation was creating the kind of problems that the Member of Parliament had raised and it was due to human settlement, then it was time he bit the bullet and stopped encroachment on areas of vegetative cover that help in stabilizing the environment. She added that he should concentrate on the human settlement and encroachment which was the real issue.

Date: 6th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Threats of Eviction of Traders by Kisumu City Council

- She noted that this was not the only issue that surrounded areas that had been developed with approval from the council which then later rejected its approval and left the residents to fend for themselves. She added that what was happening in Kisumu was also happening in Nairobi at the Kenyatta Market, where people were given permission to build and they took loans only later for the Council to say that it was not its responsibility.
- She stated that the Ministry was one among the two that had executive authority over the council and questioned how the responsibility can be taken from the council and from the Ministry for livelihoods of people who were paying loans. She pointed out that all the people selling food were business people and they had taken loans and so, there was no way that the Assistant Minister could say that those people should seek redress somewhere else, when this was an executive Ministry that oversaw councils.
- She called upon the Ministry to also take responsibility and added that they should also be clear as to where the redress should be and not to leave it to the goodwill of other institutions.
Date: 6th June 2012  
Member of Parliament: Hon. Linah Kilimo  
Contribution she made on: Payment of Share Contribution/Benefits to Former Telkom Kenya Employees

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

- Her office had received the Question and Part “b” of the Question required a comprehensive answer and thus she needed more time to give the best answer on the many other employees of Telkom who had not been paid their dues.

Date: 6th June 2012  
Member of Parliament: Hon. Peris Chepchumba  
Contribution she made on: Measures to Stop CCK from Infringing on Kenyans’ Rights

She asked the Minister for Information and Communications the following Questions:

a) Whether he could confirm that the Communications Commission of Kenya (CCK) would spy on Kenyans’ online activities with the monitoring system it was installing, and if so, whether he could state the measures the Ministry would take to ensure that privacy of Kenyans using mobile phones and communicate on social media is not infringed
b) Whether the Government had established a process through which information by Kenyans would be treated with strict confidence and to what extent the service providers would adhere to such arrangements
c) How the Government would handle legal requirements or litigation in the event that Kenyans’ rights are infringed.
d) While noting that the Constitutions, Article 31 granted the citizens of Kenya the right to privacy she questioned whether the Assistant Minister was aware that such a move was retrogressive and undermined wananchi’s rights and should be done away with.

Date: 20th June 2012  
Member of Parliament: Hon. Sophia Abdi Noor  
Contribution she made on: Tarmacking of Roads in Ijara District

She asked the Minister for Roads the following Questions

a) How much money had been allocated for repair and maintenance of roads in Ijara District for the past three years
b) Whether he could confirm that all roads in Ijara and Hulugho Districts were not tarmacked and, if so why
c) When the Government would tarmac the roads.
- She further pointed out that it was very sad to hear that after 49 years of Independence there wasn’t a single kilometer of tarmac road in Ijara and Hulugho districts. She noted that of the money allocated; only Kshs20 million had been allocated per district for the maintenance of roads.
She further asked the Assistant Minister; what exactly he had for the two districts in the Kshs200 billion budget allocation for roads and also asked whether he could do affirmative action to improve the roads because the people of Ijara were always stranded when it rained. She pointed out that for six months they had been unable to travel in the whole county.

Date: 20th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Issuance of ID Cards to Youths

She pointed out that the Assistant Minister had stated very clearly that he recognized that there was a problem between registration and eventual disbursement of identity cards and to which she asked him to clarify whether he was aware that the vetting committees that were normally used to vet citizens who wanted to get identity cards in those particular regions demanded for an allowance of Kshs200 to Kshs300 from them and also whether that money was spent appropriately.

She also inquires whether the Government itself facilitated the vetting committee or if it asked them to get the facilitation from those who are coming to apply for the identity cards.
ORAL ANSWERS TO QUESTIONS

Date: 5th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Construction of Dam on Kipkarren River

She asked the Assistant Minister for Water and Irrigation the following Question

a) What the Assistant Minister was doing to ensure that the implementation of the programme came under the Ministry of Water and Irrigation, so it could be accountable for either the misuse of funds or for funds well used
b) She also inquired from the Assistant Minister when he was going to start on the dam at Kipkarren River

Date: 5th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Non-Compliance with Constitution in Recruitment of Chiefs in Molo District

She asked the Minister of State for Provincial Administration and Internal Security the following Questions

a) Whether he was aware that all the nine (9) assistant chiefs recruited in Molo District on 23rd April, 2010, were men, contrary to the constitutional requirement of gender inclusivity
b) Whether he could provide the qualifications and details of all the applicants who qualified and attended interviews
c) What steps he would take to address the anomaly and what steps he would take to ensure strict adherence to the constitution in all future recruitments countrywide.

She questioned the rationale behind the appointments and the Ministers’ stand that the women who had applied had not qualified. She presented the names and qualifications of Jacinta Waithera, one of the applicants from Molo District, who has an aggregate of C Minus, which was the qualification, Mary Nyangweso Ontwera who has Division III and noted that the requirement was either Division III or C Minus and added that they had the minimum qualifications and therefore stood an equal chance of being selected.

Date: 7th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Mechanisms to Comply with Gender Requirement in Public Service

She asked the Minister of State for Public Service the following Question

a) What mechanisms he had put in place to ensure constant audits and reporting on compliance with the two-thirds gender requirement in Public Service.
b) She asked the Assistant Minister to clarify to the house whether his Ministry was working with the Gender Commission which had been brought by the new Constitution adding that the Gender Commission’s mandate was well spelt out. She also inquired whether was aware the work of audit was no longer their work, but for the Gender Commission

Date: 7th June 2012  
Member of Parliament: Hon. Shakila Abdalla  
Contribution she made on: Mechanisms to Comply with Gender Requirement in Public Service

She asked the Minister of State for Public Service the following Question

a) Whether he was aware that the two-thirds gender balance requirement was part of the Millennium Development Goals (MDGs). She further asked the Assistant Minister to elaborate what mechanisms they had put in place to achieve the MDGs, because the deadline was 2015

Date: 7th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Mechanisms to Comply with Gender Requirement in Public Service

She asked the Minister of State for Public Service the following Question

a) Whether she could give disaggregated data or statistics which showed the gender representation in one Ministry, and also the higher echelons of Civil Service, especially Job Group “P” and above in line with the two that principle that required all departments or Ministries to have no more than two-thirds of either gender in promotions, or in recruitment

Date: 7th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Lack of Facilities at North Horr Girls Secondary School

She asked the Minister for Education the following question:

a) Whether the Assistant Minister could tell the House the rationale behind giving equal money to all constituencies, while appreciating that a place like North Horr, for the materials even to reach there, the cost would have doubled or tripled  
b) She also inquired from the minister how much more he had assessed as needed by North Horr and what the rationale was of giving equal money, knowing that it would not finish such a facility in a place like North Horr
**Date: 7th June 2012**  
**Member of Parliament: Hon. Martha Karua**  
**Contribution she made on:** Rehabilitation of Roads in Counties

She asked the Minister for Roads the following questions:

a) What plans he had to ensure that all counties had motorable roads;

b) Whether he was considering upgrading the Kamugunda-Kianyaga-Kiamutugu-Gihure Road (D458-D459) in Kirinyaga County, Makutano-Kapenguria-Alale Road in West Pokot County and Garsen Witu-Mpeketoni Mukunubi-Mukowe Road in Tana River/Lamu Counties to bitumen standards;

c) When the construction and repair of the Hola-Garsen Road in Tana River County would be completed.

**Date: 13th June 2012**  
**Member of Parliament: Hon. Rachel Shebesh**  
**Contribution she made on:** Facilitation of Hawkers in Nairobi

She asked the Minister for Local Government:

a) What plans the Ministry had to ensure that hawkers in Nairobi were facilitated to have a structured system to sell their wares in view of the rapid urbanization in the city.

**Date: 13th June 2012**  
**Member of Parliament: Hon. Linah Kilimo**  
**Contribution she made on:** Facilitation of Hawkers in Nairobi

She responded to the Questions asked by Hon. Koech by saying:

a) She was aware that Messrs Abraham Korir of Personal File No.72410, Christopher Chepkwony, Personal File No.45261, Mark Ngeny, Personal File No.88606 and Jacob Mutuka, Personal File No.46444 were members of Mawasiliano Sacco.

b) She was also aware that the said members had not been paid their share contributions and other benefits.

c) That Telkom Kenya Limited embarked on massive staff retrenchment between the year 2006 and 2008. In the process, 397 employees who were bona fide members of Mawasiliano Sacco were affected and became defaulters in offsetting loans owed to the Sacco. She added that their total debt to the Sacco stood at Kshs151, 062,660. As a result, the Sacco had liquidity problems that could not enable it pay off its obligations including deposit refunds and other benefits to the members. Efforts to have the monies due recovered from the retrenchees benefits failed thereby prompting the Sacco to file the following suit:

1) The Sacco filed a suit with the Co-operative Tribunal (Case No.213 of 2006), seeking to block any payments to the retrenchees by Telkom Kenya Limited.
The Tribunal considered the application and made a ruling in favor of Telkom Kenya Limited, thereby dismissing the suit with costs to Telkom Kenya Limited.

2) When the case was thrown out, the Sacco went to the High Court (Case HCCC No.868 of 2010), seeking orders from the High Court to commit Telkom Kenya Limited to the debt. The matter was pending before court.

She pointed out that that scenario did not allow the Minister for Co-operative Development to take any action since doing so would prejudice the case that was pending before the court. However, the society had in the past made considerable progress in refunding to its former members their dues through the concerted efforts of the Ministry and the management committee of the Sacco. A total of Kshs46 million had been paid up on first come, first served basis.

Date: 13th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Purchase of Books on Social Issues in Schools

She asked the Minister for Education the following Questions

a) What the Government was doing to ensure that books and instructional materials for primary and secondary education that parents buy address social issues such as gender, environment, HIV/AIDS, children rights, human rights, computers, drug abuse, school safety, peace education, among others

b) Whether there were plans to have regional and decentralized centers for the production of such books and instructional materials.

Date: 28th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Status of Investigation on Rannerberger/ USA Complaints

Noting that that the matter kept on resurfacing in different shades and the Government was unable to tell us who the drug traffickers and only stated who the drug traffickers were not, she asked the Government to confirm whether there was something they were hiding and if the actual drug traffickers had roots within the system

Date: 21st June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Installation of CCTV Cameras in Nairobi Metropolis

She asked the Minister for Nairobi Metropolitan Development the following Questions
a) When CCTV Cameras would be installed in all strategic areas within the Nairobi Metropolis

b) Whether he could consider introducing a Bill in Parliament that would require all building owners to install CCTV Cameras so as to enhance urban security and

c) What plans he had to enhance metropolitan policing in the Central Business District (CBD)

Date: 28th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Status of Investigation on Rannerberger/ USA Complaints

➤ She supported the Motion by Hon. Mbuvi to form a Select Committee and added that she had a lot of information but she wanted to provide that information under the safety of a Select Committee of the House, following the rules and guidelines, because of the sensitivity of the issues under discussion.

➤ She pointed out that only a third of what was known had been mentioned and that they knew who was behind the deaths of their two colleagues and also that some of the information they were getting was worrying.
QUESTIONS BY PRIVATE NOTICE

Date: 12th June 2012
Member of Parliament: Hon. Shakila Abdalla
Contribution she made on: Measures to Facilitate Sound Management at CK

She asked the Minister for Youth Affairs and Sports the following Question, by Private Notice

a) If the Minister was aware that the leadership wrangles facing the management of Cricket Kenya were affecting the quality and standard of services rendered by the entity
b) If he was further aware that the coach and the Chief Executive Officer of Cricket Kenya earn twice as much as the total allowances paid to the 20 players of the Kenya cricket team?
c) What measures the Minister was taking to facilitate sound management and prudent expenditure in Cricket Kenya?

Date: 12th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Outbreak of Measles in Kenya

She asked the Minister for Public Health and Sanitation the following Question by Private Notice

a) If the Minister was aware that there was an outbreak of measles which had so far left six children dead in the country
b) Why the Government had not issued an alert on the same
c) If the Ministry had launched immunization programmes in the country

Date: 14th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Irregular Sub-Division of LR No. Baragwi/Raimu/22

She asked the Minister for Lands the following Question by Private Notice.

a) If the Minister was aware that land parcel LR No. Baragwi/Raimu/22 which belonged to Kirinyaga County Council, and which was subject of Civil Appeal case No.28 of 2001 had been irregularly subdivided and transferred to a third party contrary to the court order
b) What the Minister was doing to reverse the irregular transaction
**Date: 21st June 2012**  
**Member of Parliament: Hon. Shakila Abdalla**  
**Contribution she made on: Distribution of Syringes to Drug Abusers/Users**

She asked the Minister for Medical Services the following Question by Private Notice

a) If the Minister was aware that the Government was planning to distribute syringes to drug abusers/users in the country  
b) How the syringes would help the users  
c) Whether the Minister could confirm or deny that distribution of the syringes was a way of demonstrating Government failure to curb drug abuse in the country

**Date: 28th June 2012**  
**Member of Parliament: Hon. Rachel Shebesh**  
**Contribution she made on: Breakdown of Cooling Machines at City Mortuary**

She asked the Minister for Local Government the following Question by Private Notice

a) If the Minister was aware that the cooling machines at the City Mortuary had not been working since 9th June, causing great discomfort to the mortuary staff, bereaved family members and surrounding neighborhoods?  
b) If the Minister was also aware that pathologists seconded the facility withdrawing their services due to the stench from the decomposing bodies  
c) What measures the Minister would take to ensure that all cooling machines at the facility are repaired immediately
She thanked the Minister for laying out the Business of the House for next week, especially prioritizing the constitutional Bills and further maintained the need to prioritize the constitutional Bills and added that even the Bills that were with other agencies should be hastened and fast tracked to the House.

She noted that as Parliament moved closer towards December, Members would be extremely busy campaigning and thus would not be easily available for the deliberations especially the two-thirds that the Minister had talked about.

She further stated that if the Executive did not live up to that expectation, the Constitutional Implementation Oversight Committee (CIOC) would take over and bring those Bills because they owed it as a duty to Kenyans.
COMMUNICATIONS FROM THE CHAIR

Date: 12th June 2012  
Member of Parliament: Hon. Dr. Joyce Laboso  
Contribution she made on: Passing On Of Internal Security Minister (Prof. Saitoti) and His Assistant (Hon. Ojode) In Helicopter Accident

- She passed on her condolences to the fallen heroes and colleagues and also to the four officers they were with and empathized with the family. She stated that the country would forever remember hon. Prof. Saitoti for the statement that he made that ‘we must always put the nation before ourselves’.
- She also stated that Question Time in parliament would never be the same as hon. Ojode was no longer there and added that he was the only Minister who was not reprimanded in the House for not answering Questions appropriately.
- She urged the government to be a bit more conscientious when looking into the cause of the crash and the aviation industry at large and that as it puts together the taskforce to look into the crash they would take up the matter extremely seriously so that the people who were suffering and the members of the families that have gone through this can, at least, have something that they can
- She pointed out that though the loss of a loved cannot be compensated, the government should at least make it easier for the families.

Date: 12th June 2012  
Member of Parliament: Hon. Beatrice Kones  
Contribution she made on: Passing On Of Internal Security Minister (Prof. Saitoti) and His Assistant (Hon. Ojode) In Helicopter Accident

- She conveyed her heartfelt condolences for the untimely demise of the Ministers and termed the deaths of Prof. Saitoti, hon. Orwa Ojode, the two pilots and the two security officers as a big loss to the country and added that she consoled with their families at their time of loss.
- She pointed out that the loss of lives through aircraft accidents, especially of Members of Parliament was a sad issue and added that normally, when such a thing happened, a committee or team to investigate is set up but the most unfortunate thing is that whenever a report is tabled in Parliament to that effect that is the end of the story.
- She urged the government to set up a committee to look into this issue and come up with a timely and comprehensive report. She added that any possible compensation ought to be done.

Date: 12th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Passing On Of Internal Security Minister (Prof. Saitoti) and His Assistant (Hon. Ojode) In Helicopter Accident
She stated that she too mourned hon. Saitoti and hon. Ojode, and also the four other great Kenyans: The two police officers, namely, Messrs. Tonkei and Murimi, and the two pilots, namely, Mr. Oyugi and Mrs. Nancy Gituanja.

She spoke fondly of hon. Saitoti, terming him as an amiable man who was friendly to all. She also added that he was an insider in Government but also somewhat an outsider and concluded that he was a great person.

She also warmly recalled hon. Ojode and termed him as a humorous person who answered Questions with gusto and who was also a very friendly person. She also stated that when she left Government the Ministers were not all that available to her, except a few and Hon. Ojode was almost always so available and thus he was ‘her Minister’.

She also recalled that the House fondly referred to him as “serikal”. Indeed, he was “serikal” because when the Front Bench on the Government side had nobody else, it would have hon. Joshua Orwa Ojode.

She concluded by saying that she mourned all the six Kenyans and that the accident had robbed the country of great Kenyans who had a long life to serve the nation.

Date: 12th June 2012
Member of Parliament: Hon. Wavinya Ndeti
Contribution she made on: Passing On Of Internal Security Minister (Prof. Saitoti) and His Assistant (Hon. Ojode) In Helicopter Accident

She stated that she too would like to pay her tribute to the fallen heroes, Prof. George Saitoti, “Serikal”, the two pilots and the two body guards. She added that she was in Athi River in Mlolongo that Sunday morning where they were trying to rescue our people who were under a collapsed building when she heard the news. She told the bereaved families that they were in her prayers.

Date: 12th June 2012
Member of Parliament: Hon. Shakila Abdalla
Contribution she made on: Passing On Of Internal Security Minister (Prof. Saitoti) and His Assistant (Hon. Ojode) In Helicopter Accident

She too joined her colleagues’ in sending a message of condolence to the families and friends of the departed Members. She pointed out that the two departed colleagues were not only efficient in the House and in their offices, but they were patriotic Kenyans who put the country first and went beyond their political inclinations.

She pointed out that Hon. Ojode was a personal friend hers and wished to remember him as an efficient Kenyan and called on the country to hold peaceful elections in memory of hon. Saitoti and Hon. Ojode as well as the other four police officers who also perished in the chopper crash.
MOTIONS

Date: 6th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Payment of Dues to Retired Teachers

- She supported the motion stating that it was very unfortunate that the teachers had not been given the money adding that for the last 15 years, most of them had suffered; they had lived in abject poverty; some of them had already died, as some hon. Members had noted earlier.
- She pointed out that these teachers had nobody else who could assist them because they had ceased to be members of the Kenya National Union of Teachers (KNUT) and it was House only that could assist them and if it did not they would continue to suffer.

Date: 13th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Adoption of Report on Nominations of Chairperson/ Members of Transition Authority

- She supported the motion and congratulated the men and women appointed to serve on the Committee but she was quick to remind them to strictly stick to the mandate given to them by the Act, and that they were required to serve the country. She further stated that their work was not to sabotage the incoming county governments, but facilitate a smooth handover of the functions and assets to the county governments as well as facilitating and helping to configure the budgets of the incoming county governments.

Date: 28th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Provisions Relating to the Elections Act

- She called on the minister to justify the degree clause stating that in the House there were people with different qualifications and while she was sympathetic to his position, the clause would be better in future and not at that point.
- She further questioned whether it was in order for the Minister to be setting them up by saying that, that was the standard that would be used to fix salaries and if so what legal provision he was using
PROCEDURAL MOTION

Date: 20th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Extension of Sitting Time

➢ She supported the Motion stating that while considered that hon. Members wanted to go on recess there was business the House needed to transact before that and that if hon. Members found it appropriate, it would have been nice to extend the sitting so that we could finish the business before the House that day which was critical business to issues of the Constitution as indicated on the Order Paper.

Date: 27th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Holding of Extra House Sitting

➢ She supported the Motion and agreed with the hon. Members who had indicated that they needed to do things during the day, as part of the Committee that was involved in the constitutional oversight. She added that whenever they did things at such a time, they will pass laws which they were not even sure of, leave alone the ones which we are passing when we are sure of.
She supported the Bill saying that in the Bill for vetting of judges, it was necessary that they extended time but they cannot give the board a blank cheque on time.

While concurring with the statement that the time parliament allocated was not enough, she asked the House to consider whether it was for the benefit of the nation to have judicial officials in a state of anxiety for too long.

She implored the House to add no more than six months and added that the country could not be in a transition forever and the vetting of judges and judicial officers should be completed. But we want the Vetting Board to organize their work in a way.

She noted that as the country begins 2013, when Kenya is expected to have a new Government pursuant to the Constitution, the Vetting Board should have wound up, and finished its work and those serving in the Judiciary should have engaged their best gear to continue with the work.

She also called for the Truth, Justice and Reconciliation Commission (TJRC) to be given the shortest time possible. She noted that TJRC had announced to the country that they had finished their work and they were embarking on report writing and this only took a short time. She further added that the Ministers suggestion of 45 days, was enough and Sixty days was too much for people who said they were embarking on report writing.

On the amendments to the Political Parties Act and Elections Act, she stated that while they were necessary the Members should keep in mind that they were making these laws not for themselves, but for posterity.

She cautioned the house against encouraging party hopping and called for the creation and implementation of stronger laws. She added that if the Government had good faith for filling the one-third gender requirement, it should have had a proposal to amend the Political Parties Act and the Elections Act to compel parties to have one-third of their nominees for contesting on the seats as women.

This she noted was something the House could introduce at a later stage and suggested the introduction of a mechanism overriding the one-third rule. She further went on to state that on Section 10 of the Elections Act, which was actually doing away literally with the voter’s card the House needed to be explicit in that amendment.

Talking on Article 35 of the Political Parties Act, dealing with the Registrar of Political Parties, she noted, that the clause gave the President and the Prime Minister a blank cheque to extend the mechanism to institute the process of
bringing in a new Registrar by 21 days adding that the country was already past that time.

- She stated that in Section 17, which is on the Citizenship Act, Parliament should not give the Minister of State for Immigration and Registration of Persons a blank cheque to register anybody as a citizen. She added that giving citizenship in Kenya should be an elaborate process to enhance accountability and thus the Minister should not have discretion to give citizenship to any individual.

- She lauded the amendment on the KNCHR that stated that the procedure for appointing the new commissioners commence four months before the end of the term and added that it should be an omnibus clause not limited to the KNHCR only.

- She opposed the Tea Board Act stating that that would be tantamount to giving another blank cheque to the President to extend the time of the current board up to the end of the year. She added that Kenyans did not vote the in the new Constitution so that they could retain the old habits of concentrating power in the hands of the Executive.

- She supported the move to amend the Constitutional Offices Remuneration Act so that the former Commissioners of the Interim Independent Boundaries Commission (IIBC) may be paid salaries and allowances but was quick to add that they were receiving salaries and allowances and, at that time, there were no requirements that they be paid in a certain way.

- She pointed out that the Statute Law (Miscellaneous Amendments) Bill was a dangerous in its use because it allowed for the amendments of very many laws and made it easy for something to be sneaked in making the constitution very vulnerable. She cautioned the hon. Members to be very, very vigilant when dealing with it.

- She stated the need to make amendments to the Copyright Act that help the industry from infringement of copyright and also that help them to receive the money taken by the Music Copyright Society, because it does receive payments and royalties, but those royalties do not always reach the artists who have performed. She called for a composite amendment to have some percentage of royalties remitted to the owner of the copyright, just like it was done for the coffee farmers, where 80 per cent of the money went to the farmer and 20 per cent to all the middle men.

- She reiterated that in the Copyright Law there be an amendment to give 80 per cent of all the monies recovered to the copyright owner and only 20 per cent to be shared by everybody else along the line, adding that musicians and our artists have remained so poor, yet the quality of their work is so good.

- She called for an amendment relating to the Energy Regulatory Commission (ERC) to make the work of the regulatory tribunal transparent. She pointed out that the commission should give the formula and parameters which help
them arrive at increasing the cost of energy; whether electricity, diesel or whatever fuel.

Date: 6th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill (2nd Reading)

- She pointed out that while Hon. Khalwale claim that some women have the tendency of using Section 38 of the Sexual Offences Act to victimize men, sexual offence was not an issue of women alone; there were men who are violated and further asked the Minister to justify his claim by giving statistics that show that women use certain sections of the law to victimize men. She added that the language used by the Minister to highlight the issue was discriminatory.

Date: 7th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: The Legal Education Bill (2nd Reading)

- She pointed out that the Committee she was on, had certain reservations and we would be meeting the Minister and added that they had already met the Director of the Kenya School of Law and their concerns were not really in relation to the specific provisions of the law but ideology behind them. She added that whereas, they do not have a problem with standardizing legal education, they had a problem in terms of the way it was being configured.
- She concurred with the rest of the house in the claim that there was a big problem in terms of legal education in the country that many schools were mushrooming without any proper regulation and insisted on the need to standardize legal education.
- She questioned the Minister’s suggestion to separate roles by stating that it seemed to create a lot of bureaucracy which would in turn lead to a lot of expense and using money in places where it was not necessary. She cautioned that this move would cause duplication in all the main training institutions which would come at a great price.
- She stated that while she agreed with the need to have standards the committee, including her needed more justification for the splitting of the existing institution. She reiterated that the Minister needed to clarify why the council would be split rather than be part of the Kenya School of law.
- She further stated that if the Kenya School of Law had not been effective in setting standards or in training, the answer did not lie in splitting but rather by enhancing capacity.
- She pointed out that the profession needed standards and it is not just in legal education as well as the other professions as the standards of education had generally gone down.
Date: 14th June 2012  
Member of Parliament: Hon. Dr. Joyce Laboso  
Contribution she made on: The County Governments Bill (3rd Reading)

- She reported that the Committee of the whole House had considered The Memorandum by His Excellency President on the County Governments Bill and approved the same with amendments.

Date: 14th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: The County Governments Bill (3rd Reading)

- She supported the Bill and congratulated the House and especially the Committee for bringing amendments to further strengthen what was provided for in the Constitution and cautioned certain elements within the Executive to desist from misleading the President and making Parliament do double work.

Date: 14th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: The Public Financial Management Bill

- She supported the Bill and also pointed out that it was absolutely necessary as it shared out the responsibility of managing money matters to the county governments and about oversight to the National Assembly and the Senate.
- She pointed out that the proposed Section 46 outlined the overall responsibility of the Cabinet Secretary including advising the county governments on how to prepare their budgets and helping them to build their capacity.
- She also stated that it was quite clear that in addition to the duties given in the Constitution the Cabinet Secretary would oversee the formulation of the overall economic and financial policies of the Government adding that it was the Cabinet Secretary responsibility for finance, who would on behalf of the Government or the Executive, give that policy direction and also throughout the year, ensure that all Government entities, both national and county, were following that policy direction.
- She also noted that the proposed Bill by talking about the views of the Cabinet Secretary being taken into account in Clause 36, it was repeating wording that was already in the Constitution. She agreed that although there were two levels of Government, the country is one although, the overall management direction was coming from the national government and certain responsibilities devolved to the county governments.
- She pointed out that that although there were devolved governments; the 47 counties are part of the whole, therefore, there had to be some synergy between the national and the county governments.
- She lauded the proposals in the Bill for providing an avenue for continuous engagement between the National Government and the National Assembly in the process of Budget making. She added that the proposed Bill had given in
Clause 12 the general responsibilities and the powers of the National Treasury, which was again backed by the Constitution.

- She noted that the National Government through the Cabinet Secretary had the overall control of money matters, which was, again, given by the Constitution. It was mainly in policy direction and prudent use of the money following the policy direction and legislative directions given by the laws that parliament had made.
- She also pointed out that the Bill was also bringing transparency and that for the first time; all matters would be laid bare to the public. If it was the National Debt Management Office, there would be the national debt and how it was going to be managed. There will be Public Debt Management Office. She added that that law was putting a responsibility on public officers to ensure that they complied with the laws relating to public resources (Clause 79).
- She proposed that at Committee Stage, the clause should have penalties for public officers who failed to comply and called for the need to have penalties on any public officer who mismanaged public resources, or who conducted public business without regard to the laws. She added that it was only personal responsibility accompanied by penalties that would bring a change in culture, where everybody learned to obey the law, and where everyone learned to go in accordance with the Constitution and the laid down procedures.
- She concluded by stating that she thought overall the Bill was good and it was time that the House passed it and whatever areas the Members felt should needed to be strengthened, it could be done at the Committee Stage.

Date: 20th June 2012
Member of Parliament: Hon. Bshp Margaret Wanjiru
Contribution she made on: The Traffic Amendment Bill

- She opposed the Bill by stating that one of the reasons that she did not was that as much as she accepted that the country needed a law that instilled order in the traffic sector and among road users, in the way people related with each other when on the roads; that Bill was not the solution.
- She stated that the proposals in the Bill were “unimplementable” and the proposed Bill was not practical at all. She pointed out that the Bill appealed to the emotions of the Kenyans owing to the increased number of accidents but lacked concrete solutions to the same. She also pointed out that everyone was to blame for the high rates of accidents on our roads.
- She noted that the solution was not abolishing the traffic police and the solution would not be provided by failure to separate the crimes from the accidents and added that when every accident is seen as a crime, it was not going to work.
- She pointed out that there were those drivers who were very careful and somewhere along the line, a driver would cause an accident in which case the Bill for it and every so-called accident that was converted into a crime, every driver who causes the accident *cum* crime would be fined in the better part of it, ten years jail or over Kshs500, 000 fine.
She termed the bill as impractical and questioned how many boda boda people can afford Kshs500,000 or how many matatu drivers could afford Kshs500,000? Even how many MPs could afford Kshs500,000? She cautioned the Minister to be realistic in what they proposed in the law.

She pointed out that another impractical provision was the one on road blocks and stated that there was a need to have a provision to have them in different places and not tied to just specific spots. She added that the police needed to be left with some power to regulate themselves.

She reiterated that despite the high number of bad drivers on the road, the Bill was not the solution. She also opposed the clause on uniforms saying that while it was important to have some sort of order it was not in the governments place to dictate it and added that that was a function for the investors.

She concluded by saying that the stakeholders were not consulted, the Traffic police were not consulted, the matatu investors were not consulted and even the boda boda investors were not consulted and called for the House to consider their take before imposing the Bill on them.

Date: 21st June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: The Teachers Service Commission Bill (2nd Reading)

She supported the Bill noting that it made the teachers’ profession rank among other professions because most professions have an Act of Parliament that guides their operations. She added that for the first time pursuant to the Constitution, the TSC would now have an Act that guided their operations.

She inquired whether the organization could be self sustaining because other professional bodies as a rule managed themselves, and added that for the first time in the Bill, there was a clear criterion of recruitment of members of the Commission

She pointed out that the Bill provided a clear criterion for choosing the members and that the professional qualifications were clear and whoever wanted to serve on the Commission would have to undergo competitive recruitment adding that that was a plus and a great thing.

She noted that the issues of discipline had also been clarified in the new law but referred to Clause 31 on reinstatement and asked the Minister to relook at that particular clause, asking him to have clear criteria on matters of reinstatement, so that people who had serious disciplinary cases would be reinstated in an opaque manner.

She lauded the Bill for including Clause 35, which talked of teaching standards and added that the country needed to have the same standards applicable in the entire country.

Date: 21st June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: The Teachers Service Commission Bill (2nd Reading)
She congratulated the Minister for a well crafted Bill and pointed out that he performed excellently in the Ministry of Justice, National Cohesion and Constitutional Affairs and had done it yet again.

She pointed out that the Bill had mainstreamed the issues of human rights, children rights, women’s rights, rights of persons with disabilities and rights of the marginalized through regional representation very well.

She lauded the Bill stating that it professionalized the teaching profession and pointed out that it acknowledged the issue of the best interest of the child and also gave strength to the Sexual Offences Act by taking very bold steps that ensured errant teachers were punished.

She stated that she was happy about the issue of facilitating career progression for teachers and that teachers were actually doing a lot of training on their own adding that it was good to institutionalize that and recognize and reward the hard work that the teachers were doing.

She however cautioned that Clause 30(2) may also lead to discrimination of persons with HIV/AIDS because the Bill was suggesting that when somebody was excluded from teaching because of being unwell, then a list would be put and that may lead to stigmatization for persons with HIV/AIDS.

Date: 21st June 2012  
Member of Parliament: Hon. Prof. Margaret Kamar  
Contribution she made on: Public Service Commission Bill

She seconded this Bill and congratulated the Minister of State for Public Service, for the well articulated Bill that is highlighted some of the salient points, and particularly for citing the relevant Sections of the Constitution. She however pointed out that one of the things that had not come out clearly, was the issue of equity in appointment of the members of the Commission. which was extremely important.

She called upon the Minister to ensure that equity was achieved by the bill and justified it by stating that as the country transited to the devolved system of government, unless fairness and equity in public appointments was practiced, some counties would develop a tendency to go ethnic, especially if they felt that their own people were not being hired to serve anywhere in the country.

She pointed out that there were fears being raised always about hiring and ethnicity in public institutions and added that her Ministry was battling with the problem of ethnicity in institutions of higher learning.

Date: 21st June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Public Service Commission Bill

She supported this Bill noting that it corporatized the PSC and sought to reform it and added that it was one institution that had failed to reform alongside the rest of the country and time and again, as other Members had said, appointments in the institution had left a lot to be desired.

She stated that she very glad that the qualifications for the people being appointed now were set as opposed to previous times when the PSC
Commissioners had been appointed through the prerogative of the President; which was open for the Minister's concerned to forward names, and people to lobby making it somewhat a home for the retired

- She suggested further provisions to the Bill on Appointments, removal of the chairperson, members and the secretary. She pointed out that anybody designated as a public officer should come to Parliament for vetting, including the commissioner as they were carrying out a big responsibility.

Date: 28th June 2012
Member of Parliament: Hon. Dr. Joyce Laboso
Contribution she made on: The Appropriation Bill (3rd Reading)

- She reported that the Committee of the whole House had considered the Appropriation Bill, Bill No.28 of 2012 and approved the same with amendments.
COMMITTEE OF THE WHOLE HOUSE

Date: 13th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: The Cancer Prevention and Control Bill (Report and 3rd Reading)

- She congratulated the Mover of the Bill, Dr. Monda, and noted that it was very strong on prevention and weak on treatment. She pointed out that Dr. Monda had done his bit and it was now up to the Ministry concerned to come up with a comprehensive plan on how to relieve cancer patients of their pain of lack of treatment by having a comprehensive plan.
- She reiterated that that was a very noble initiative and once again congratulated Dr. Monda and the House for passing this Bill.

Date: 13th June 2012
Member of Parliament: Hon. Prof. Margaret Kamar
Contribution she made on: The Cancer Prevention and Control Bill (Report and 3rd Reading)

- She too congratulated hon. Monda for the Bill passing the bill but went on to state to mention that many Kenyans had been indirect victims of cancer including her having lost her father through cancer and the Bill should help save other people from losing their lives through the disease which was preventable.
- She encouraged the Ministries to utilize the available avenues and in particular the link with the International Atomic Energy Agency (IAEA) that deals with the treatment of cancer. She added that Kenya was a signatory as well as a beneficiary in training in oncology and other areas.

Date: 20th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill

- She indicated that she not agree with the hon. Attorney-General on the Law Society of Kenya's Act and added that the Law Society of Kenya gave the House views and it was not of the view that that was an issue of a name.
- She pointed out that in the hon. Attorney-General's contribution, he had indicated that that was not an issue of a name and that they are taking control of the work that the Law Society of Kenya does.
- She added that given that the Chairman had substantively withdrawn she was opposed to what the Chairman had done.

Date: 20th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill
She supported the amendment and added that the constitutional requirement of gender inclusivity, when the LSK shared its two slots with FIDA, members of FIDA who were also members of the LSK would help to nominate the female gender, so the amendment was in line with the constitutional framework.

She opposed the amendment as it cuts both ways, and exemplified this by stating that if a murder was committed that day, the suspect was taken before the court and the prosecutor realized they have no evidence but 20 years later concrete evidence was found, and it had happened in many jurisdictions, it meant, forever, you could not go after that person.

She added that there should be protection for the suspect in a speedy trial Act, but if prosecutions are closed for people discharged under Section 87(a) they might then close very serious offences against the public. She pleaded with the House to reject the amendment be.

**Date: 20th June 2012**  
**Member of Parliament: Hon. Martha Karua**  
**Contribution she made on:** The Statute Law (Miscellaneous Amendments) Bill – *Amendment to The Sugar Act 2011*

- She stated that she had made an amendment to the Sugar Act and the deletion would affect the amendment.
- She pointed out that she was introducing a Section 3(A) to the Sugar Act and that it was a new Section. She was suggesting that the judgement of a Sugar Tribunal be executed and it should be filed in the High Court and executed as a judgement of the Court.
- She further pointed out that even though the Minister was moving and he was going to bring a comprehensive Act, it was a very terrible situation that all the sugar farmers could execute judgement against the sugar company and they had lots of judgments. She asked the Attorney General to let the process go on because asking the sugar farmers to wait for another three to four months on an unpublished Bill, which probably had not even gone through Cabinet was not fair.

**Date: 20th June 2012**  
**Member of Parliament: Hon. Millie Odhiambo**  
**Contribution she made on:** The Statute Law (Miscellaneous Amendments) Bill – *Amendment to The Sexual Offences Act 2006*

- She opposed the amendment by Dr. Khalwale, noting that a majority of cases of rape were children aged between 12 and 14 years not women and added that the women who were raped were the minority.
- She noted that there were laws where when people actually committed perjury under the criminal law, they could be accused and stated that what that law had done was that when you had children who are raped, the mothers did not come forward.
She opposed hon. Khalwale’s amendment and added that the reason the House should support the amendment by the Attorney General as it is, was that already the country had sufficient laws where anybody who gave false information in court was charged with an offence called perjury and added that whether they accused somebody of murder, rape, defilement or any other offence, they would will be guilty of perjury.

She stated that in Section 38 of the Sexual Offences Act, as it stood was unconstitutional and it was subjecting those complaining of sexual offences to double jeopardy. She added that already, there were offences dealing with it and it was discriminating against those who complained of sexual offences, while all other complainants of all other offences were not being put to the same threshold.

She called upon the house to think of the children and all the sexual predators who were lying loose; raping mothers and grandmothers and defiling and damaging children.

She pleaded with the hon. Members to allow that Section to be deleted as there were sufficient laws dealing with them.

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She opposed the amendment by hon. Khalwale and pointed out that apart from the fact that the anomaly affected children, a look at the Report that was written by the women’s organizations after the post election violence showed that the main victims of rape during that time were women who continued to live in camps and when they identified the perpetrators they were only moved from one police station to another. She attributed that to that law.

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She opposed the amendment and stated that it was a great shame that shortly after passing the Constitution and passing the Political Parties Act, 2011, The Members were now telling the country to allow them, as the rest of Kenya obeyed the Constitution and the law, to just misbehave just a little; and allow them not to be faithful to the party that they had come to Parliament with.
She pointed out that the members needed to be disciplined and that if one wanted to change party allegiance, there was a mechanism for doing so and also added that for Kenya to democratize, it was political parties that would help to change the governance of the country.
She stated that if the members destroyed parties they were destroying the country and she asked to go on record as vehemently opposing that amendment which was going to open a floodgate to indiscipline in political parties as well as ‘political promiscuity’.

Date: 20th June 2012  
Member of Parliament: Hon. Cecily Mbarire  
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill - Amendment to The Industrial Court Act, 2011

She supported hon. Dr. Khalwale’s amendment stating that it was because she though whatever it was they did, it must be what ensured access of justice by majority of Kenyans and added that the employees themselves had not been properly consulted on this matter.
She pointed out that pending that amendment for a short while, just to allow for further consultations, did not hurt and added that the majority of Kenyans required this Industrial Court.

Date: 20th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill - Amendment to The Elections Act, 2011

She proposed the following amendment of the Elections Act 2012
THAT, the Bill be amended in the Schedule as follows:-
- (d) In the amendments proposed to the Elections Act (No.24 of 2011), by inserting the following new amendment immediately after the amendment proposed to section 10-Section 13
  - Insert the following new subsection immediately after subsection (1) – (1A) In nominating candidates for an election under subsection (1), a political party shall ensure that NOT more than two-thirds of its nominees are of the same gender
She pointed out that the rationale for this was that the Constitution said that not more than two-thirds shall be of one gender, either in the National Assembly, in the County Assemblies or in the Senate and the new chambers capacity was 349, according to the Constitution and if they left it for women to be nominated to make the one-third, the House would most likely to end up with over 400 Members.
She also added that the chamber had been renovated for 350 Members and that instead of waiting for women to come through nominations, the political parties give them a chance to fight for seats. She however was quick to add that nobody would dictate to the parties where those women would be and each party would check where they have strong women candidates.
Date: 20th June 2012  
Member of Parliament: Hon. Dr. Joyce Laboso  
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill - *Amendment to The Elections Act, 2011*

- She supported the proposal and stated that if there was one thing the House had been grappling with was on how to meet the no more than two-thirds rule, and the constitutionality of it as well as how constitutional our Parliament was going to be. She pointed out that that was a window of opportunity for the house to address that problem.

Date: 21st June 2012  
Member of Parliament: Hon. Shakila Abdalla  
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill - Amendment to the Schedule Section 112 - *The Elections Act, 2011*

She proposed and an amendment to the Elections Act  
*THAT, the Bill be amended in the Schedule in the amendments proposed to the Elections Act (No.24 of 2011) by inserting the following new amendment immediately after the amendment proposed in section 112*

- Third Schedule: In the Oath of Secretary prescribed under section 60(1) and set out in the Third Schedule, delete the Words “Magistrate/Commissioner for Oaths” and Substitute therefore the words “Member/Secretary/Returning Officer (of the Independent Electoral and Boundaries Commission).”
- She pointed out that the Schedule dealt with the oath of secrecy that would administered to elections and returning officers. The current Elections Act only allowed magistrates and Commissioners of oath to administer these oaths. In the past, it was done by the Commissioners and returning officers.
- She stated that the reason she had brought that amendment was that in the budget of the Independent Electoral and Boundaries Commission (IEBC), they budgeted to pay those commissioners of oath Kshs135 million for a job that could be done internally and cost the taxpayer nothing and proposed that the oath be given by a member of the Commission, secretary or returning officer instead costing the taxpayer any money.

Date: 21st June 2012  
Member of Parliament: Hon. Esther Murugi  
Contribution she made on: The Statute Law (Miscellaneous Amendments) Bill - *The Elections Act, 2011 Section 22 (3)*

- She supported the deletion of the amendment by Hon. Dr, Nuh and supported Hon. Mr. Kimunya's amendment. She added that as leaders they should ask themselves the kind of message they were sending to their children. She further asked whether the Members wanted their children to be delinquent in school and drop out because they could attain the low standards and come to these assemblies
**Date: 27th June 2012**  
**Member of Parliament: Hon. Martha Karua**  
**Contribution she made on: The Public Financial Management Bill**

- She supported the amendments but drew the hon. Members attention of to the use of the word, “Parliament” which referred to both the National Assembly and the Senate. She reminded them that the Senate was the guardian of the county government and therefore, when there was a combination of the two they could be certain that the county government would have the protection of the Senate, and not just the National Assembly.
- She asked the Minister to clarify Clause 129(7) about the County Appropriation Bill for the approval of the estimates and questioned why it was not reading the same as for the national Government as it stated that it should be upon the approval of the Budget Estimates.

**Date: 28th June 2012**  
**Member of Parliament: Hon. Millie Odhiambo**  
**Contribution she made on: The Public Service Commission Bill**

- She pointed out that since the House had limited time, they were rushing a lot of the Bills to try and beat the deadline, and added that this meant they had to have a certain faith that the proposed amendments were implemented by the Ministers in charge but raised her concerns that some of the proposed amendments had failed to appear in the report which was in itself alarming.
MINISTERIAL STATEMENTS

Date: 5th June 2012  
Member of Parliament: Hon. Millie Odhiambo  
Contribution she made on: Plight of Mau Evictees

- She called on the Assistant Minister to clarify whether the Ministry had a policy of non-discrimination for any class of IDPs and if there was what it provided for. This she added was especially because Hon. Keter had mentioned the issue of forest evictees as opposed to post election violence victims but there were also issues of discrimination of post election violence victims because they had heard the Assistant Minister speaking of Alko IDPs and even there were many post election violence IDPs that had not been given the same treatment as other IDPs.

Date: 6th June 2012  
Member of Parliament: Hon. Rachel Shebesh  
Contribution she made on: Maize Infection in Bomet and Other Areas

- She stated that she was one of those Members of Parliament who had no problem with GMOs and added that KARI must have been aware of the disease way back before it struck and if they were not aware, the Assistant Minister needed to tell explain what the role of KARI was if a disease like sugarcane mosaic virus could suddenly invade crops.
- She further added that the Kenya Agricultural Research Institute is probably one of the best agricultural research institutes in the continent and so she questioned why they did not know about the disease citing that it could also have been just politics, given that the people of Bomet produce the biggest amount of maize in this country.

Date: 13th June 2012  
Member of Parliament: Hon. Millie Odhiambo  
Contribution she made on: Closure of Alcoholic Drinking Points around 300 Metres of Schools

- She pointed out that as the Chairperson of the Parliamentary Caucus on Children, she was requesting for a chance to peruse the documents that had been laid on the table and more time allocated to interrogate issue further as it touched on education and the lives of the young people in schools.

Date: 14th June 2012  
Member of Parliament: Hon. Martha Karua  
Contribution she made on: Attack on Residents of Laikipia by Lions

- She stated that it was unfortunate that the Assistant Minister gave the impression that wildlife was superior to human life. She added that there was,
even without any further law, the ordinary civil law; the law of tort, which allowed a citizen to sue for compensation from anybody harboring a dangerous thing.

- She questioned the Assistant Ministers assertion that they were waiting for a law, and added that it was the Ministry that was licensing the conservancies and could, therefore, give a condition that unless the person or group can contain the animals with an electric fence, such a group could not be allowed to harbor wildlife, especially when the wildlife was coming to the people's farms.

- She pointed out that the women were on their own farms and the animals came from the conservancy to maul them when they were going about their business. She asked what is the Assistant Minister was going to do and if he would put that condition in the conservancy agreement

Date: 14th June 2012  
Member of Parliament: Hon. Maison Leshomo  
Contribution she made on: Attack on Residents of Laikipia by Lions

- She asked the Assistant Minister whether the wildlife were more important than human beings and added that when elephants were killed and their tasks taken, KWS acts in haste to ensure the issue is sorted but when humans were hurt by animals there was no response and there were no laws protecting them.

- She further pointed out that many people had been killed by wild animals and yet no law had been put in place to protect or compensate them and added that a solution should be arrived at quickly before more Kenyans are hurt by the animals

Date: 28th June 2012  
Member of Parliament: Hon. Rachel Shebesh  
Contribution she made on: Status of Investigation of the Police Helicopter Crash Involving the Late Hon. Saitoti/Ojode

- She asked the Minister to clarify the person(s) who were first to arrive at the scene of the crash and questioned the why the Commissioner of Police who happened to be the first person on the scene walked away when the Vice-President arrived.

- She also questioned why he left without securing the scene, and leaving the Vice-President to answer questions. She then inquired whether there was a grand scheme within Government to do away with the departed MP’s

Date: 28th June 2012  
Member of Parliament: Hon. Dr. Joyce Laboso  
Contribution she made on: Status of Investigation of the Police Helicopter Crash Involving the Late Hon. Saitoti/Ojode
She called on the government to handle the case with a lot of seriousness and pointed out that date they have not been told how Lorna and Kipkalya died. She added that even as the House assured the Members that there would be a Commission of Inquiry, after the inquiry, the information coming out of it should be comprehensive so that the families and friends and even the country would once and for all get to the bottom of the matter, and ensure that no more Kenyans were killed unnecessarily.
POINTS OF ORDER

Date: 5th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Timeline for Disbursement of FPE/ SSE Funds

- She called on the Minister to provide a Statement with their position on the over Kshs7 billion owed by the schools to the Kenya Publishers Association in respect of books that had been supplied to schools but which had not been paid for and further asked how the Ministry intended to deal with that issue.

Date: 6th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Status of Mathare Youth Sports Association

- She asked for the status of the Ministerial Statement she requested from the Ministry of Youth Affairs and Sports the previous week, adding that even though it was supposed to be delivered the week before it was not.
- She further inquired when the Minister had committed to give that Ministerial Statement.

Date: 7th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Misleading Statement on Question No.1373

- She sought direction from the speaker on the misleading statement by Hon. Gumo when answering Question No.1373 pertaining to the money owed to Jaro Printers which he stated that the cheque by the Kitale Municipal Council was ready for collection and would be available the next day (25th May) and yet only Kshs34, 940 of the Kshs675, 000 owed to him was availed to him.

Date: 7th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Speaker’s Direction on Ministers’ Compliance with S.O.124

- She questioned whether it was in order for Ministers to be appointing from amongst the ones who were working well and the culprits remained seated and asked them to respond. She added that so far there had been three who were hand working and they are the ones who were standing to defend themselves, yet the culprits were sitting very nicely.

Date: 13th June 2012
Member of Parliament: Hon. Martha Karua
Contribution she made on: Misleading Statement on Question No.1373
She supported the point of order, especially the part that related to appointment of a serving member of the Judiciary without perhaps consulting the Chief Justice. She noted that in respect for the separation of powers, the Executive does not choose for itself which judicial member will be a member of the committee but rather they request the Judiciary and the Judiciary gives a person but the handpicking by the Executive was not good for separation of powers.

She further added that it was not even good for the confidence of the public and asked the Minister to make a serious explanation as to this end.

**Date: 20th June 2012**  
**Member of Parliament: Hon. Rachel Shebesh**  
**Contribution she made on: Deployment of Officers to County Governments**

- She requested for a Ministerial Statement from the Minister for Gender, Children and Social Development on access and benefits of Free Primary Education (FPE) enjoyed by children and also the progress that was reported by the Ministry during the celebration of the Day of the African Child on 16 June, 2012, as well as
  1) The measures the Ministry had put in place to ensure that children with disabilities, including physical and mental disabilities, have access to FPE;
  2) Whether the Government had an elaborate policy on children with special needs, specifically on non-discrimination, considering that only 1.7 per cent of the estimated 1.5 million children with disabilities had access to formal education in the country.

**Date: 27th June 2012**  
**Member of Parliament: Hon. Millie Odhiambo**  
**Contribution she made on: Exploitation of Fishermen by Middlemen in Mbita & Gwasi**

- She requested a Ministerial Statement from the Minister for Fisheries Development in relation to the crisis in the fishing industry in Nyanza Province, affecting mainly Mbita and Gwasi constituencies.
- In the Statement, she asked the Minister to clarify what he was doing to ensure that fishermen were not exploited by middlemen, who had caused the price of fish to fall tremendously, thereby causing fishermen to down their tools the day before in a strike.
- She further asked the Minister to also explain to the House how much money had been allocated to fishing in the 2012/2013 Budget, and in particular towards a storage facility in the affected areas.
- She also asked the Minister to explain what the Government intended to do to lift the ban on *Omena* fishing given that Uganda and Tanzania did not have the same ban every year and it only affected Kenyans, especially vulnerable women and children as communities that relied only on *Omena* fishing.
PRIME MINISTERIAL STATEMENTS

Date: 6th June 2012
Member of Parliament: Hon. Rachel Shebesh
Contribution she made on: Measures to Mitigate Floods in the Country

- She pointed out that this was probably the fourth or fifth time that the Prime Minister was responding to the issue of floods and disasters caused by climate change and questioned how long he would answer Questions, where there were straight Ministers who could answer, on the disaster response issue which involved many Ministries.
- She reiterated that this was the fourth time that they had brought up the issue that needed to be taken to the line Ministries and suggested the Government make a policy for it to be either under the Ministry of State for Special Programmes, Ministry of Water and Irrigation or Ministry of Agriculture, so that they can answer these Questions more directly.

Date: 6th June 2012
Member of Parliament: Hon. Shakila Abdalla
Contribution she made on: Measures to Mitigate Floods in the Country

- She requested the Prime Minister to confirm to the House whether there were funds for those projects and if there were, when they would start and end.

Date: 27th June 2012
Member of Parliament: Hon. Millie Odhiambo
Contribution she made on: Role of the Deputy Prime Minister

- She requested the Minister to also explain whether the Deputy Prime Ministers were actually getting perks without working which was then robbing Kenyans of their taxes and further inquired whether they still deserved to have those titles and why they were earning Kenyan money with titles which belonged to Kenyans.