HANSARD REPORT
MARCH 2010

MOTIONS

Date: 23rd March 2010
Motion: Approval of draft Constitution of Republic of Kenya
Member of Parliament: Hon. Martha Karua
- She supported the motion stating that the document provided for checks and balances on the executive which are needed.
- She noted that accepting such change would be difficult but it would be best for all Kenyans. It is the reason why as Members that we fully support it and help it become a reality.
- She emphasized on the need to fully support the motion so that the country can transit from a country at war to a modern nation where everybody can develop their full potential.

Date: 24th March 2010
Motion: Approval of Draft Constitution of republic of Kenya
Member of Parliament: Hon. Elizabeth Ongoro
- She expressed her support for the draft constitution especially legislation regarding the creation of the Senate with clear roles and functions.
- She also supported the creation of the deputy Chief Justice as well as the Equalization fund. Overall she felt that the draft constitution was a step in right direction for the country that will enhance development and growth.

Date: 24th March 2010
Motion: Approval of Draft Constitution of Republic of Kenya
Member of Parliament: Hon. Dr. Naomi Shaban
- She expressed her support of the document but stated it was important that all members read and fully understand the entire document. Before taking it to the people any changes that need to be made should be done at the House before passing it. However it is a good document that is long overdue.
Date: 24th March 2010
Motion: Approval of draft constitution of Republic of Kenya
Member of Parliament: Hon. Linah Kilimo
She stated that she was in support of a new constitution but had a few amendments to suggest:

- In regard to the devolution of governments and creation of regional governments, it will be disadvantageous to the people in the Arid and Semi-Arid areas.
- Since Kadhis Courts are recognized as subordinate courts, Christian Courts should also be established with similar powers and equal stature.
- The amendments should be debated upon and changes made before the document passes and taken to the people.

Date: 25th March 2010
Motion: Approval of Draft Constitution of Republic of Kenya
Member of Parliament: Hon. Prof Margaret Kamar

- The proposed constitution is good but it can be made better so that it serves all Kenyans and fair to all.

Date: 30th March 2010
Motion: Adoption of the Constitution of the Republic of Kenya
Member of Parliament: Hon. Wavinya Ndeti

- She stated that the constitution may not be perfect but looked at pressing issues that needed urgent attention. It fosters vigilance of the people, encourages accountability, removes impunity, eliminates graft and provides for the establishment of independent organs of the Government. The proposed constitution should therefore pass as it is.

Date: 30th March 2010
Motion: Adoption of the Constitution of the Republic of Kenya
Member of Parliament: Hon. Cecily Mbarire

- She expressed the need for amendments before passing the constitution. The amendments would ensure that all Kenyans were protected.
Date: 30th March 2010  
**Motion: Contribution to Adoption of the Constitution**  
Member of Parliament: Hon. Sophia Abdi Noor  
- She expressed concerns that the percentage of devolved resources was too little and as such would not support the document as it was unless it was amended to allow for 30% devolution.

Date: 30th March 2010  
**Motion: Adoption of the Constitution of the Republic of Kenya**  
Member of Parliament: Hon. Shakilla Abdalla  
- In supporting the document she stated that it was important that the Kadhis Courts be established in the constitution and any member who had issues with the same should bring them to the House for discussion and have the clause amended.

Date: 31st March 2010  
**Petition: Citizen’s Plea to Parliament to Adopt Draft Constitution without Amendments**  
Member of Parliament: Hon. Martha Karua  
- She urged parliament to refrain from opening up and making amendments to the proposed Constitution of Kenya as presented to Parliament by the PSC and which is now before the House. The document should be adopted as it is.

Date: 31st March 2010  
**Petition: Citizen’s Plea to Parliament to Adopt Draft Constitution without Amendments**  
Member of Parliament: Hon. Cecily Mbarire  
- She opposed the amendment made on the clause of citizenship stating that whether by birth, registration or marriage one is still a citizen.

Date: 31st March 2010  
**Motion: Adoption of the Constitution of Republic of Kenya**  
Member of Parliament: Hon. Amina Abdalla  
- She opposed the amendments on the cause regarding the Kadhis Courts stating that they contravened Article 32 (4).
QUESTIONS

Date: 23rd March 2010,

**Question 087: Staffing Level at Department of registration of Persons in NEP**

**Member of Parliament: Hon. Sophia Noor**

- She sought from the Minister of State for Immigration and registration of Persons the following:
- Whether he could provide the staffing level at the Department of Registration of persons in North Eastern Province, the months worked in 2009 and the amount of money they were paid;
- Whether he could give the names and number of applicants for national IDs in the province in the last one year, indicating how many were issued with the document; and
- Whether he could also explain the requirements for vetting procedures in North Eastern and clarify whether the procedure applies nationwide.

Date: 23rd March 2010

**Question 106: Suspension of WKCDD & FM Project by World Bank**

**Member of Parliament: Hon. Dr. Naomi Shaban**

- In response to the question raised she stated the following:
- The suspension by the World Bank funding for WKCD&FM project was as a result of the draft report of an in depth audit carried out by the internal audit department of the Government of Kenya which concluded suspected fraud after losing an approximate Kshs. 11.5 million.
- However the government has drawn up some steps that will help put the project back on track.
- Those responsible for the loss are currently under investigation and have already been suspended from the project. Those who were exonerated from the claims after the validation was done have been reinstated.
Date: 23rd March 2010

Question 136: Non-utilization of funds allocated for development of Kimumu Market

Member of Parliament: Hon. Prof. Margaret Kamar

- She enquired from the Deputy Prime Minister and Minister for Local Government the following:
- To explain why the money allocated to Eldoret Municipal Council for the development of Kimumu market in the financial year 2008/2009, amounting to Kshs. 50 million had not been spent;
- Why the Ministry diverted funds meant for the development of the Eldoret Eat Fresh produce market, which was obtained through the stimulus package budget in 2009/2010 to the Kimumu Market; and
- When the market was going to be constructed

Date: 24th March 2010

Question 82: Refund of SACCOs share contributions to retrenched Telkom employees

Member of Parliament: Hon. Linah Kilimo

- In response to the question raised she stated that about 3,981 members of Teleposta and Mawasiliano SACCOs out of 14,000 were not refunded their cooperative share contributions when Telkom Kenya started retrenchment of its staff in 2006/2007. However considerable progress in refunding their former members their dues has been realized.
- Other monthly remittances are also been made as the cash flow situation improves
- The Ministry is also working closely with the management committees of the two SACCOs in managing the refunds.
- However the SACCO faces several problems one of them being that when the French company bought Telkom Kenya, they did not include the SACCO loans that members owed.
- She also indicated that Posta Plaza had been sold to the Kenya Methodist University so as to be able to pay back some of the money owed.

Date: 24th March 2010

Question by private notice: Status of ICT project under Economic Stimulus Package

Member of Parliament: Hon. Martha Karua

- She wanted clarification on when the Minister was planning on concluding consultations and whether he would include the relevant Parliamentary Committee.
Date: 24th March 2010

**Question 087: Staffing Level at Department of registration of Persons in NEP**

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- Whether he could also explain the requirements for vetting procedures in North Eastern and clarify whether the procedure applies nationwide.

Date: 30th March 2010

**Question 29: Illegal Stay in office by Harambee SACCO management team**

**Member of Parliament: Hon. Martha Karua**

- She sought from the Ministry of Co-operative Development and Marketing:
- Whether the minister was aware that the Chairman of Harambee SACCO and the entire management team continue to hold office in contravention of the Public Officer Ethics Act even after being charged with theft of SACCO funds vide NRB/Misc. Application No. 45 of 2004 and what action he plans to take against them; and
- What action he has taken on the Mwaliko Inquiry Report of May 2002 in respect of Harambee Plaza Investment Housing Co-operative Society Ltd and Harambee SACCO.
STATEMENT

Date: 23rd March 2010
Ministerial Statement: Cancellation of KQ Flight No. 0403
Member of Parliament: Hon. Prof Margaret Kamar
➢ She inquired whether the Assistant Minister was aware that when a flight was parked in Ethiopia on 26th February, 2010 on 28th February 2010, another flight left Bujumbura, landed in Kigali, where passengers were kept in the aero plane for 3 hours, causing the crew to also run out of duty hours, and, therefore, causing them to sleep in Kigali?

Date: 25th March 2010
Ministerial Statement: Murder of people in Kirinyaga District
Member of Parliament: Hon. Martha Karua
➢ She wanted to know what the Minister was doing about the threats issued by some prominent politicians, to the effect that voters will not be registered in Murinduko South Ngariama Ranch area.

Date: 25th March 2010
Statement on the Image of female members’ of parliament’s legs
Member of Parliament: Hon. Martha Karua
➢ She stated that it was wrong of media houses to selectively use photos of Members of Parliament and selectively use parts of their bodies to sensationalize their reporting.

Date: 25th March 2010
Statement on the Image of female members’ of parliament’s legs
Member of Parliament: Hon. Millie Odhiambo
➢ She stated that the move by the media to concentrate on the constitutionally correct height of a skirt was sexist, discriminatory and against Section 82 of the Constitution.
Date: 25th March 2010
Statement on the Image of female members' of parliament's legs
Member of Parliament: Hon. Racheal Shabesh
She registered her disappointment and stated that it was obvious that the journalist who took the pictures was a male chauvinist who should not be allowed into the House anymore.

Date: 25th March 2010
Statement on the Image of female members' of parliament's legs
Member of Parliament: Hon. Dr. Naomi Shaban
➢ She stated that by media houses carrying on with such behavior are taking advantage of the freedom they have been given to air parliamentary proceedings and is a reflection that they do not respect the women of the country as a whole.

➢ Women parliamentarians have the same rights as the male parliamentarians and as such should be accorded the same amount of respect.

Date: 25th March 2010
Statement on the Image of female members' of parliament's legs
Member of Parliament: Hon. Prof. Margaret Kamar
➢ She felt that those who are responsible should be dealt with but those not implicated need not be punished for the actions of the wrong doers.