

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 1st September, 2016

The House met at 6.45 p.m.

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

PRAYERS

Hon. Speaker: Hon. Members, we can commence.

PAPERS LAID

Hon. A.B Duale: Hon Speaker, I beg to lay the following Papers on the Table of the House today Thursday, 1st September, 2016:-

The Report of the Auditor-General on the Financial Statements of the National Government Constituencies Development Fund (NG-CDF) in respect of the following constituencies for the year that ended 30th June, 2015, and the certificates therein:-

Hon. Speaker this is very important. I am going to read the following constituencies as I table the audited reports from the Auditor-General and the certificates therein, for the year that ended 30th June, 2015.

The constituencies are as follows:-

- (i) Loima Constituency.
- (ii) Chesumei Constituency.
- (iii) Mosop Constituency.
- (iv) Turkana South Constituency.
- (v) Turkana North Constituency.
- (vi) Turkana East Constituency.
- (vii) Aldai Constituency.
- (viii) Emgwen Constituency.
- (ix) Nandi Hills South Constituency.
- (x) Ganze Constituency.
- (xi) Bura Constituency.
- (xii) Magarini Constituency.
- (xiii) Chagamwe Constituency.
- (xiv) Starehe Constituency.
- (xv) Ruaraka Constituency.

Hon. Speaker, I beg to lay.

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

Hon. Speaker: Very well. Next Order!

REPORT

THE ELECTION OFFENCES BILL

Hon. Speaker: Chairperson.

Hon. Omulele: Hon. Speaker, I beg to report that the Committee of the whole House has considered the Election Offences Bill No.38/2016 and approved the same without amendments.

Hon. Speaker: Mover.

Hon. A.B. Duale: Hon. Speaker, I beg to move that the House doth agree with the Committee in the said Report. I also request Hon. Chepkong'a, the Chair of the Departmental Committee on Justice and Legal Affairs to second the Motion for agreement with the Report of the Committee of the whole House.

Hon. Speaker: Hon. Chepkong'a.

Hon. Chepkong'a: Hon. Speaker, I rise to second.

Hon. Speaker: Hon. Members, just resume your seats. I know there are a few Members who have not mastered these procedures.

(Question proposed)

(Question put and agreed to)

Hon. Speaker: Mover.

Hon. A.B. Duale: Hon. Speaker, I beg to move that the Election Offences Bill (National Assembly Bill No.38 of 2016) be now read the Third Time. I also request Hon. Chepkong'a, the Chair of the Departmental Committee on Justice and Legal Affairs to second.

Hon. Speaker: Hon. Chepkong'a.

Hon. Chepkong'a: Hon. Speaker, I rise to second. As the Chair of the Departmental Committee on Justice and Legal Affairs, the House should note that when you referred this Bill to us yesterday, we sat from 10 O'clock non-stop to 4.00 p.m. without taking lunch, and with no breaks, including the one who is from maternity leave. She sat throughout and you know she is still young.

Hon. Speaker: Are there other Members who want to contribute?

(Question proposed)

Hon. Speaker: I can see the Member for Suba.

Hon. Ng'ongo: Thank you, Hon. Speaker. I want to contribute to the Third Reading of this Bill and give confidence to Hon. Chepkong'a that truly we appreciate the work of JLAC and the fact that you committed a lot of time. It did not go in vain we have noted your concerns. You should also remember that the Joint Select Committee of 14 Members for 30 days also never did anything. They sat through and agreed on this negotiated version of the Bill.

That is why we said, we put aside your concerns until when time will allow us, especially because the two leaders have spoken. When the Rt. Hon. Raila Odinga has said not even a comma or dot should be changed, that overrides everything, whether it is good or bad. He has already

said. Please bear with me. You will understand later that it is something which I cannot go against. It is not that I do not like you. I like you very much and respect your Committee, but that is what we had to do for the moment. I support.

Hon. Speaker: Hon. Manson Nyamweya.

Hon. Nyamweya: Thank you, Hon. Speaker for giving me a chance to contribute. I support this Report the way it is because the two leaders - that is the President of the Republic of Kenya and the Former Prime Minister have agreed. A Joint Select Committee was formed by the National Assembly and the Senate. As Members of the National Assembly, for the sake of the unity of this nation, let us pass the Bill the way it is not because of any individual, but we trust that if there is a compromise reached as it was reached, we pass it. If there is anything that can be amended, let it be done later. That is why I support this Bill.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, I think there is nothing more to say. As you are well aware, this Bill removes Part VI of the existing Elections Act and makes it a stand-alone Act. The credit should go to the 10th Parliament which passed those offences the way they are in the current law. You do not even need to refer to other people. Fortunately, Hon. John Mbadi and Hon. Manson Nyamweya were in that 10th Parliament. You did a good job that time.

Hon. Members, can I put the Question? I have confirmed that we quorate. We have the numbers to make a decision.

Hon. Members: Yes.

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

REPORT AND THIRD READING

ELECTION LAWS (AMENDMENT) BILL

Hon. Speaker: The Chairperson.

Hon. Omulele: Hon. Speaker, I beg to report that a Committee of the whole House has considered the Election Laws (Amendment) Bill (National Assembly Bill No. 37 of 2016) and approved the same without amendments.

Hon. Speaker: The Mover.

Hon. A.B. Duale: Hon. Speaker, I beg to move that the House doth agree with the Committee in the said report. I request Hon. Chepkong'a, the Chair of the Departmental Committee on Justice and Legal Affairs to second.

Hon. Speaker: Hon. Chepkong'a.

Hon. Chepkong'a: Hon. Speaker, I second.

(Question proposed)

Hon. Members: Put the Question.

Hon. Speaker: The mood of the House is that I put the Question. You can comment later.

(Question put and agreed to)

Hon. Speaker: The Mover.

Hon. A.B. Duale: Hon. Speaker, I beg to move that the Election Laws (Amendment) Bill (National Assembly Bill No. 37 of 2016) be now read a Third Time.

This is a Bill that was negotiated by 14 Members from both Houses and we the leadership of the House appended our signatures to it. Today will be remembered as the day party leadership counted in this country.

(Applause)

As the Jubilee Coalition, we had a wonderful breakfast Parliamentary Group (PG) meeting and we abided by the discussion and resolution of that meeting, which is provided for in the Standing Orders. Yesterday evening, some Members of Parliament decided to go contrary to their party leaders. I belong to that party and I know those leaders. But, today, I am happy the party leadership of both CORD and Jubilee Coalition has decided to whip their members. There is no crime in that. It is a parliamentary procedure. It even happens in the US Congress.

Today we have known the orphans.

(Laughter)

Hon. Speaker, the die is cast; no more party hopping. You are either with the parties that want to establish serious democracies or you go through the route that the Constitution has provided of an independent candidate. Nobody is forcing a Member of Parliament or any political contestant to join ODM, Jubilee or FORD-K. Nobody is infringing on anybody's Bill of Rights. Nobody has put a gun on anybody's head. The Constitution is so robust. In fact, it provides two routes. You either come to this House through a political party or as an independent candidate. If you decide to join ODM, you must live by the rules of ODM. You must be guided by the structure and the leadership of ODM. If you decide to join us in our merger--- We are going to have a convention starting next week on Monday. Those who are not happy with ODM are welcome to Jubilee. Those who are unhappy with Jubilee can go to ODM or CORD. Those who are orphans can choose to run as independent candidates. Those who are still hopping and they have not landed and they are not in the House today knows themselves. We want to send a message to them this evening: You can still hop. You will never land. A law has been passed in this House that disallows you from landing. So, you cannot land now.

Hon. Speaker, it is a good day. We must set the record straight. We are going to build strong political parties. Let us all agree that we are the practitioners in all these political parties. Therefore, let us make sure that there are proper, transparent, accountable and peaceful party nominations. We must demand from our party colleagues and the leadership of political parties that never again shall people sell certificates. We must state that never again shall somebody go to somebody's wife to look for a certificate. Never again shall you give a certificate to your boyfriend or girlfriend.

Finally, let me say that I am loyal to my party leadership. There is no doubt about that. I am loyal to President Uhuru Kenyatta, who is the leader of the Jubilee Party. There is nothing wrong if you are loyal to Hon. Raila Odinga. If you do not want to be loyal to those leaders, you

can be loyal to yourself and run as an independent candidate. Be loyal to your wife, kids and yourself and then come to the House. There is no crime you will have committed.

Hon. Speaker, with those many remarks, I would like to ask Hon. Chepkong'a---

An hon. Member: (*Inaudible*)

Hon. A.B. Duale: No, I will. Today we have rejected all his amendments. I really want to indulge my leader. You will get an opportunity later.

Hon. Speaker, Hon. Chepkong'a is one of the most active Chairpersons. We have nothing against him. Let me tell him that his Committee has been very active. It is only that this is a unique Bill which was negotiated at a higher level. It is similar to the National Accord. Those who know that they have party leaders, must also know from today that when they get to this House through that door that they have a party leader, if you do not do that, then I will have a chance to talk to your party leader with regard to the negotiated matters.

May I ask Hon. Chepkong'a to second.

Hon. Chepkong'a: Hon. Speaker, I rise to second the Leader of the Majority Party. This is a very happy occasion because we can all agree. As I said before, the Constitution is very clear. There is freedom of speech in this House. Whatever Members have decided here today is as a result of them exercising their freedom. The Constitution also says that matters will be decided by the majority. The majority decided this matter. Although we had a majority in the Committee, in fact, it was by consensus. The House felt that we must pass this Bill in the first instance, and then look at the other amendments in six months. It is within the right of the House.

Hon. Speaker, this is a happy occasion because for the first time, we are inculcating party discipline through this Bill. We are rewarding loyalists and punishing detractors of party unity.

There are those who come and tell us, like Hon Ng'eno – and it in the HANSARD - that he used to walk around with six certificates. If someone refused to give him one, he would produce another one from the left side. He said so. This will be put to an end. For the first time, we are putting an end to dishonest to party loyalty. If you want to join party A, you would rather join it. You have the freedom. In fact, Article 38 of the Constitution is very clear. You do not have to borrow anybody's shirt to join a party. You can even form yours.

For the first time, we are going to introduce, at least, two strong parties in this country. We will, of course, have the third force for the member who is not here. You know him.

(Laughter)

I am not saying it a bad way. It is just that they have christened themselves a third force. We will only have two parties or horses. It will be in the fashion of the US and the Britain. One thing the 11th Parliament will be known for is developing democracy by ensuring we have two strong parties like we have in the US and in the UK, including even Brazil where, the other day, the President was stripped of powers and brought to an end one strong party, the Socialist party, that was led by the former President Lula.

This Bill is very important. When people meet and decide to do serious business like the Select Committee did, we must thank them. We include one (Eng) Mahamud who is seated next to me who is trying to praise himself. He should wait for me to praise him. I thank him for he did a very good job. I also thank all those who sat in that Committee, including Hon. Junet.

The only thing I want to say about that Select Committee is that it was unfair for this House, which is composed of 349 Members, to allow two Senators to chair Members of this House. That should never be repeated. That does not create a precedent. I would have been

happy to see either Eng. Mahamud or Hon. Junet sitting as one of the Chairs. We cannot cede our authority to another House. We have co-current jurisdiction. There is no House which is higher than another one, unless they have not read the Constitution. Next time, if a matter comes from the Senate and we have disagreement, since the matter originates from the Senate, we will allow the Chair to come from the Senate. If it originates from this House, then this House will Chair. That tells you that we have co-current jurisdiction. There is no House which is higher than the other. For avoidance of doubt, we are all Members of Parliament. I am a Member of Parliament in the National Assembly and they are Members of Parliament in the Senate. They must know that there is no one who is less than the other. In fact, we all earn the same salary. Maybe, the only difference is that the average age is higher than ours.

(Laughter)

There is nothing wrong. It is also the choice of the other party to decide where they want to go. But it happens that those who are older than us thought that it was a better House where they are not disturbed so much like us here. We carry too many things in the constituency. We normally explain that it is not their responsibility because the Constitution allocates us the power to represent the people and deliberate and resolve issues concerning the people. They represent the interests of the counties.

It was a mis-step on our part to send a piece of legislation that concerns the National Assembly, namely the Independent Electoral and Boundaries Commission (IEBC) (Amendment) Bill, which was put together with the Election Laws (Amendment) Bill, to the Senate. The IEBC (Amendment) Bill is the exclusive preserve of this House. I hope that in future, when Bills are published, we do so separately so that we pass them separately. What belongs to this House should remain with this House. What belongs to both Houses should be passed here and then we allow the Senate to look at it.

I beg to second.

Hon. Speaker: Is that the Member for Eldama Ravine or is it the Member for Sigor?

(Question proposed)

Let us have Hon. Nyenze.

Hon. Nyenze: Thank you, Hon. Speaker for giving me this chance. Today, I am a very happy person because reason has overcome emotion. This august House will be judged by Kenyans as the 11th Parliament that was not selfish and that agreed on this negotiated Bill. I am happy because there will be no more street demonstrations, teargas, loss of property, loss of lives and displacements.

It was the wisdom of the President of the Republic of Kenya, Hon. Uhuru Kenyatta and the three co-principals, namely Raila, Kalonzo and Wetangula; and of course, the Deputy President, who agreed to whip us not to change this negotiated Bill. When we started, the Leader of the Majority Party and I were put in a very awkward position. Today, I am very happy that Members have seen sense and united across the political divide. I am very happy that what we have done today will strengthen the parties because there will be no party-hopping. Party-hopping is allowed within a specified period. Choose early and indicate where you will be since you cannot be in-between.

Today is a big day. I want us to break early and celebrate because we have achieved what seemed very impossible. It is good to accept what our leaders say. It is good that we can legislate and change any law. Hon. Speaker, in your ruling yesterday, you said that we are at liberty to even change the Constitution itself. We could have made changes to this Bill, but we did not do so for the sake of the country, so that there is peace and understanding, through the advice of our leaders who I thank very much. It is good that we swallowed our egos and obeyed. It is good for this country. I hope and pray that in future, whenever we have difficulties and competing interests, the Jubilee Coalition and the Coalition for Reforms and Democracy (CORD) will engage so that we sort out those problems without taking hard positions. This country is more important than us. It is our country. If we destroy it, we cannot go anywhere else. We will also be destroyed ourselves. This is the first step.

It was a matter of give and take. I want to encourage those who feel that they did not achieve what they wanted to, can bring back those amendments after six months. Since it is a negotiated document, I am happy that it has been passed the way it is.

I had a very rare opportunity to work as a Cabinet Minister with President Uhuru Kenyatta, Deputy President William Ruto and all the Opposition leaders - Raila Odinga, Kalonzo Musyoka and Sen. Wetangula. Those leaders are blessed with different gifts by God. Many Members of the Jubilee Coalition might not even know that President Uhuru Kenyatta is an economic genius. He is a guru in that area. He advises very well. I know him very well because I have worked with him. Raila is very aggressive, a crowd puller and a thinker; he moves things. Ruto, just like Raila, is a good schemer and one who respects the opinions of others.

(Laughter)

Sen. Wetangula is a very accomplished lawyer. Kalonzo is the chosen one. He is a very loyal and intelligent lawyer. I am a very loyal person who seeks God's favour.

I would like to bring to the attention of new Members that in 1990, I had an opportunity to serve with these leaders as a Cabinet Minister. We should listen to them because they are gifted in different ways. Instead of rebelling, let us try to bring them together so that we can move this country forward. Whenever we have a crisis in this country, we have always seen the President inviting the Opposition leaders. They have always stood together. If there is a terrorist attack, they have always come together. I want us to borrow a leaf from that whenever we have an issue that is bigger than us. Let us come together instead of taking hardline positions.

We have had a very difficult time working with our counterparts in the Senate. We have less than one year before elections and I want to plead with them to soften their stance. We now have a love-hate situation and for the remaining period, let us try to bridge the gap and work together.

With those few remarks, I support.

Hon. Speaker: Hon. Members, there is really nothing new. The matter is over. I will allow Hon. (Eng.) Mahamud to say something.

Hon. (Eng.) Mahamud: Thank you, Hon. Speaker for giving me this opportunity. I would like to thank Members for honouring the Joint Select Committee. I was part of that Committee. When this Report was moved, I was really worried because I thought what we did in 30 days, sitting day and night, at times until 2.30 a.m. was going to be thrown out.

I am happy that the House has respected what they had initially passed. When the Motion was passed here and we were given the mandate, it was agreed that the Report should be

supported by everybody. The leadership signed this Report and the coalition leaders also supported it. I am happy because we are where we wanted to be.

I thank you very much on behalf of the Joint Select Committee. *Asanteni sana.*

Hon. Speaker: Hon. Members, I am conscious of the fact that it is the Third Sitting in the course of today. Maybe, there is wear and tear. If you pass these Bills, I also need to send a message to the Senate tomorrow, whether they are on recess or not. We will have discharged our responsibility. They will then deal with the Bills.

Hon. Members, because we are going into the Motion of Adjournment after this, given the provision of our Standing Order No. 97, if you are to adjourn for a period in excess of 15 days, debate must be for a period of between 30 minutes and three hours. So, I want to guide that after that, you will be at liberty even to say things about these Bills in that Motion of Adjournment. You will be at liberty to say them. Those who may also want to go and relax at the other place; we will also be listening to you from there.

(Laughter)

Let me put the Question. I confirm we have Quorum. I think it is fair we put the Question.

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

Next Order! Hon. Leader of the Majority Party!

MOTION OF ADJOURNMENT

Hon. A.B. Duale: Hon. Speaker, I beg to move:-

THAT, pursuant to the provisions of Standing Order No. 28, this House adjourns until Tuesday, 4th October 2016 in accordance with the Calendar of the National Assembly's Regular Sessions.

Members will agree with me that the recess is timely in the Second Part of the Fourth Session. We commenced on 7th June, 2016 with a short break during the second week of July. We had about eight uninterrupted weeks of serious parliamentary work. Allow me to take the House through the short memory lane of the legislative task that we have performed.

First, 24 Bills have been passed by this House. Nine Bills were assented to by the President yesterday. This includes the constitutional Bills like the Community Land Bill, the Seed Varieties Bill, the Land Laws (Amendment) Bill, the Forest Conservation Bill and many others.

Other Bills that were passed during the Second Part include the Elections Offences Bill which we did this afternoon, the Election Laws (Amendment) Bill, the Kenya Regiment Territorial Bill, 2015, the Civil Aviation Bill, the National Government Constituencies Development Fund Bill, the Banking (Amendment) Bill which was assented to on 24th August 2016, the Value Added Tax Bill and many others which include the Petroleum, Energy, Water, Fisheries (Amendment) Bill, the Kenya Roads Bill and the Natural Resources (Classes of Transaction) Bills.

As we proceed on recess, we hold our heads high. But, I want to mention four Members whose heads will be held high and respected in this House. The first one is Hon. Jude Njomo, Hon. Priscilla Nyokabi, Hon. Chris Wamalwa and Hon. Wafula Wamunyinyi. Those Members successfully moved the House to pass the Bills they sponsored. The epitome of that was the passage and assent of the Banking (Amendment) Bill, 2015. I also want to thank the Deputy Leader of the Minority Party who took it personally. Today, you have seen that all is not in vain. The banks are even saying that you can implement that law retroactively and that interest on even the old loans will be charged at the new rate. This is a great thing for this 11th Parliament. It was tried in all the other Parliaments. I am sure the passage and assent of the Banking (Amendment) Bill, 2015 will be remembered in this House. It sought to cap interest rates at 14 per cent. As I said, this Session will also go down in history as a momentous one and, indeed, a celebrated one by the common citizens.

Secondly, we have also debated and adopted several Committee Reports. Key among them includes the Report by the Departmental Committee on Defence and Foreign Relations on the agreement between the Government of the Republic of Kenya and the United Kingdom (UK). This morning, we passed that Defence Co-operation Agreement. I thank the members, both the Departmental Committee on Defence and Foreign Relations and the other House, for passing and ratifying that Defence Co-operation Agreement.

Hon. Speaker, we also passed the Report of the Joint Select Committee on matters relating to the IEBC, the Report of Public Accounts Committee (PAC) on the Government of Kenya accounts Volumes 1 and 2 for the Financial Year 2013/ 2014 and the Report of the Departmental Committee on Transport, Public Works and Housing on the Bilateral Air Service Agreements between Kenya and the Government of Vietnam and that of Liberia.

Finally, among many other Reports, we passed the Public Investments Committee (PIC) Report into the inquiry into the allegations of fraud and financial management at the Youth Enterprise and Development Fund.

I wish to commend the House for adopting the Report of the Joint Select Committee on matters relating to the IEBC and passing these Bills this evening. Indeed, this House passed two Bills today and, thereafter, forwarded them to the Senate. Among the nine steps given to us, we have done our bit. It is only last week that we passed the Report of the Joint Select Committee. Over the weekend, we published the Bills. On Tuesday, this House reduced the publication period and on Wednesday, we did the Second Reading. We are going home having implemented expeditiously, the reform agenda that we both, as the political leadership in this country, agreed.

In case the Senate proposes any amendment, which I do not anticipate because the same leaders will speak to them in their own wisdom, we will use the provisions of Standing Order No.29 (1) to recall the House for a Special Sitting in order to consider those amendments and form a Mediation Committee. May I remind the House that it is the action of passing these two Bills that will set the stage for the implementation of the recommendations of the Joint Select Committee. Whereas the deadline of 30th September 2016 is achievable, we must all work together within the tight timelines to conclude our part of this process, which we have done.

During the recess, it is my hope that the Departmental Committee on Health will finalise its consideration on the Health Bill 2015. The Departmental Committee on Labour and Social Welfare should also work fast to conclude investigations into the mismanagement of the Kenyan team during the Rio Olympics and table its Report after your directive yesterday.

Upon resumption of this House, eight months will be remaining to the general elections. Therefore, come October, we may have to alter the calendar of the House to allow for the

consideration of the budget-related items for the Financial Year 2017/2018, including the Budget Policy Statement and other related budgetary and legislative matters. It is possible that the budget estimates may be laid before the House proceeds for the December recess.

Finally, I thank the leadership of this House, starting with you and my colleagues both in the minority and in the majority parties, all the staff at the Clerk's office, the various Chairs and their Vice-Chairs, the Office of the Serjeant-at-Arms, the great people at the Catering Department and the security systems in Parliament and, finally, the 349 Members of Parliament for approaching various matters in this House in a bipartisan manner. I do hope this break will give Members time to join their constituents and to attend to their families, and for me to go and do consultations with the clan of elders. I beg to move.

Thank you, Hon. Speaker.

Hon. Speaker: Well, in keeping with our rules, if the Hon. Leader of the Minority Party desires to contribute, he has the first bite of the cherry. This is a matter of protocol in the House and, indeed, in the Constitution - Article 108.

Hon. Nyenze: Thank you, Hon. Speaker. I have not spoken for quite some time. I want to second the Hon. Leader of the Majority Party and I do not have much to say because I have said so much within the day. However, I want the National Government Constituencies Development Fund (NG-CDF) Board to ensure that the remainder of the funds are released to the NG-CDF accounts so that when Members break, they can go and undertake development activities.

I thank all the Members of the National Assembly, its leadership starting with Hon. J.B. Muturi and all the leaders of the House for the good work that we have done. We have covered a lot of ground, but there is still more to be done. The break that we are taking, I want to appeal to the Members that we go with the spirit of *harambee* and assist our constituents, interact with them and be more concerned about the less fortunate. Go do their *harambees*, assist them and God will reward you.

Let us not start early campaigns, but let us do development until the last four months. Thank you and I support.

Hon. Speaker: Member for Igembe North.

Hon. Kubai Iringo: Thank you, Hon. Speaker. This is a good day in this House. We have passed very important Bills. It has also made some of us realize that this country has owners. If they say: "Let this be done, it is done", whatever it is. It has also made them realize that if these things are said with finality, there are people who set the agenda and once they do it, everybody will follow.

So, as we go for this recess, this is a good opportunity for us to go and interact with our people, after this good work, and I thank you for your good leadership.

I believe that with what we have gone through, we will give birth to more serious parties that are built on ideologies and beliefs that people will ascribe to, and this will enforce discipline. I am a student of development and I am not aware of any country, nation or community that has ever developed without some kind of force to make people follow a certain path in their development journey.

I believe what we have done today as one Member indicated is an act of selflessness of the Members to pass what they have passed through, even if it is by force I believe by the end of the day, it is for the greater good of the Republic of Kenya, where we can end up having some people who will ascribe to those parties because, whether people like it or not, this is going to become a law.

When people also get this, they will be conscious and the leadership will address the question of justice, fairness and freedom, which is just in talk and moderated in reality. This is also another realization that, by the end of the day, it goes as per the wishes of those who hold the instruments of power.

Thank you Hon, Speaker.

Hon. Speaker: Let us have the Member for Ndhiwa.

Hon. Oyugi: Thank you, Hon. Speaker. I appreciate for being given a chance. I would like to support that the House goes on recess. It has been a couple of good months working together. I really think that the sought of legislations we have passed in this particular Sitting have been very good.

With regards to the Elections Laws Bill and the Election Offences Bill that we have passed, I think there are fairly good provisions in there. I would have loved to see a provision that will deal with the registration of voters, especially those people who will be waiting in *limbo* without ID cards and a process in which young Kenyans can be part of the voters register.

One of the things the Departmental Committee on Justice and Legal Affairs needs to crystallize is a mechanism in which we can have new voters being registered, because it takes too long to issue ID cards. The second thing is that we have just listened to the Leader of the Majority Party read the number of legislations that have been passed by private Members. It simply shows that the uptake or the number of private Members Bills that we channel through this House is not very much. I am hoping that when we come back for the next session, we can give a chance to many more private Members Bill because some people came to make certain laws and the act of law making is exciting. I am hoping that HBC in the next couple of sittings will give us space, room and create more time for private member legislations.

The third thing is that I know a couple of Constitutional Law Bills have not been passed. I sit in the Parliamentary Caucus on Human Rights and, for us, it is always sad that the two-third gender legislation was never achieved both in the Senate and the National Assembly. I am hoping that the House can see a way in which it can help us realize it before the next elections.

We know for a fact that if this House does not achieve that legislation, if a Kenyan goes to court within the meaning of Article 260 of the Constitution, we will find it very hard to have constitutional Houses. Lastly, I congratulate all Members of Parliament. Today we have worked together in unity. I hope as we move towards elections, we can still keep the same spirit. We know the elections are going to be fairly divisive but, as leaders, if we can speak from the same voice, together we can move this country forward. It does not matter the outcome of the results in the 2017 General Elections. I hope we can pull and move the country forward as one people.

With those few remarks, I thank you for this chance and hope to enjoy recess with the people of Ndhiwa.

Hon. Speaker: The Member for Nakuru Town East.

Hon. Gikaria: Thank you, Hon. Speaker. It is unfortunate that on my maiden day to bring some amendments, I had to drop them, which is very unfortunate. I had really prepared to convince my colleagues to listen to me and approve my amendments.

As has been said, party leaders have spoken and we have to abide. That gives me a reason to start working and hope that 10 or 15 years from now, I will be in that position giving instructions to this Parliament. At the same time, I want to take this opportunity to thank the Speaker. Yesterday, when Hon. Olago Aluoch asked a question regarding the use of the Standing Orders to bring amendments, you pronounced yourself in a legal way. I appreciate what you said that everybody is at liberty to bring amendments to the House to decide. True to the fact, that is

what was done. I want to thank you very much for giving us an opportunity to bring amendments. It just shows leadership in you.

Of course, Hon. Duale has thanked the Members for the good work. I also want to thank him for representing the majority party and being there all the time to advance its interests. It is important for him to do that. We have passed the Election laws and, hopefully, the Senate will not make amendments to the provisions. I am just pleading with the Opposition because this was a negotiated document, we should not see people going back to the streets and demanding for more.

I watched the Opposition leader saying that he needs to be consulted. If he is not consulted, I hope he is not going to pick issues. We hope we will have a smooth transition so that, with the reform of the elections law, we can finish this business in time for us to have the commissioners by end of September.

At the same time, as Hon. Duale has put it, we have passed so many laws, which is also an indicator for us who are new to this Parliament. It is a good progress. At the same time, I would take this opportunity to request our colleagues at the county level to emulate what we do here. You will be surprised that Nakuru County Assembly, sometimes, starts sessions at 5.00 p.m. in the evening and within 30 minutes, they are out of the Chamber. It has not passed any laws. I challenged the Chief Magistrate in Nakuru as to why he is allowing charges based on the Municipal Council of Nakuru and county councils laws. They are still charging people under the old laws which are no longer in use. It is unfortunate that Nakuru County has only three laws: one on finance, the other on potato and the last one on alcohol. We have so many other pieces of legislation that we need to have in place in Nakuru so that we can be listened to. It is unfortunate. So, I want to take this opportunity to urge our colleagues at the county level to take their work seriously and bring Motions. It is not only the business of the County Executive Committee to bring laws. The MCAs are supposed to and we have been trying to assist them.

With those few remarks, Hon. Speaker, as we go on recess, I want to thank you.

Hon. Speaker: The Member for Makueni.

Hon. Maanzo: Thank you, Hon. Speaker, for giving me a chance. First, I want to thank you and the House for a good work done in relation to the laws that we have passed. This was close to the IPPG of 1997. I want to also thank Members for following the law. You had ruled that it is possible and that the law provides for democracy. Political party discipline is very important. There had to be a method and a law which already exists in our Constitution and in the Political Parties Act and now the elections law so that political parties could follow the law, and that members could be disciplined within the law. If things were just left loose and party-hopping was allowed, then it means political party discipline would be low and political parties would not grow in this country the way they have grown in other democracies.

We need political parties based on ideology so that political parties are not based on ethnicities or individuals. I can see the future and it begins with this Parliament. In future, we will have political parties based on ideology. Young Kenyans can learn from us. In future, we could have serious political parties, which is an enhancement of democracy. So, I want to thank you for staying true to the law and being firm. I also thank leaders in the House, Hon. Duale and Hon. Nyenze, for being very firm. A negotiated law is the way forward to peace and free and fair elections in the country. Elections are a matter of life and death in many jurisdictions. It is only fair that the people of Kenya have free and fair elections.

The 290 parliamentary seats belong to the people of Kenya. The seat of Makueni belongs to the people of Makueni. The counties belong to the people of those counties. Even Kenya

belongs to Kenyans. Therefore, leaders cannot impose themselves. There has to be a formula and a law to make sure that there are free and fair elections and the right leader is elected by the people and for the people.

Hon. Speaker, I really want to thank you for this opportunity and wish all Members very fruitful vacation in their constituencies as we develop the country, share with our people and prepare for the next elections.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. John Waiganjo.

Hon. Waiganjo: I thank you, Hon. Speaker, for giving me an opportunity to congratulate Members of the 11th Parliament for the work they have done not only today, but in the last few weeks. Today we have passed the laws on elections which set the pace for electoral reforms. Being less than a year in the next elections, we have done a great job. Although in the debate of the Election Law (Amendment) Bill, Members of the Departmental Committee on Justice and Legal Affairs met and wrapped their minds on those amendments; most of them were just meant to clean up the Bills. Other amendments were just to make sure that we pass a law that will help the candidates and the political parties. By and large, I think we shall probably be having a miscellaneous amendment Bill to take care of the loose ends that we left undone. Either way, we have done a good job and we should be proud of what we have done.

Moving forward, particularly as we move to our recess, it is time to look back and to meditate and see where we want to take the country. We are moving toward an electoral process and as you know, this country always suffers during the elections. We can seize this opportunity and give the country the best season ever so that when we go to elections, we may not be divisive. As leaders, I would like us not to take very serious and firm positions; we should also not be abusive in our campaigns. That way, we will unite the country together. Today we have demonstrated that we can do it. Parliament is one of the most privileged arms of Government. We do legislation. Our mandate, under the Constitution, touches the people we represent directly. So, we are a House that gives Kenya its face. We must be proud of what we have done.

We say that hopping of party Members has been stopped, but I am not very clear about that myself. If you read between the lines, there is a chance of hopping and stepping; I am not clear about the jumping. I believe in serious political parties as ideological vehicles for good governance. It is a good thing to have good political parties. However, as we emphasize on political party loyalty and political party discipline, let us not forget that this discipline is not just with the members of that political party. The discipline should also be with the leaders of those parties so that when a party conducts its primaries, we want to see a situation where a loser is satisfied and can carry forward the ideologies of that party.

If we conduct our primaries in a shambolic manner, even steal elections of other candidates, rig them out and give them direct nominations, in effect, we are disenfranchising the citizenry. Members will always skip, hop and create other political parties. Political parties that want to survive and grow, particularly now that there is political party funding, must make sure that all the aspirants learn through those political parties. There must be a fair and plain ground for all. This will ensure that everyone is satisfied and that our people are well represented.

Hon. Speaker, the only sad thing that I feel about the end of this session is that we did not debate and pass the Bill on potatoes. The Potato, Produce and Marketing Bill is the most important Bill that will help the people of Nyandarua and Ol Jororok to sell their potato produce. But, by and large, we have done a good job. I wish the Members all the best as they proceed to their vacation.

I thank you, Hon. Speaker for giving this House leadership and for protecting the independence of the legislature.

Thank you very much, Hon. Speaker.

Hon. Speaker: Hon. Wanga.

Hon. (Ms.) Nyasuna: Thank you, Hon. Speaker. The late George Saitoti once said: “There comes a time when the nation is more important than any individual.” That is when he was bypassed and His Excellency Uhuru Kenyatta was appointed as the heir apparent by the former President Moi. Today feels like that day, when the nation is much more important than any of our individual aspirations as legislators.

Hon. Speaker, today was unique. I listened to amendments from Members. They made a lot of sense, but it was just not the time to pass them. Including when Hon. Chepkong’at moved the change of name to my own position of County Woman Representative to County Member of National Assembly, we shot down that amendment. It is important that the country understands we are working on very tight timelines. Any amendments happening today would have served to delay the process and probably, delay the next general elections.

I thank Hon. Members who had amendments and found it fit to withdraw them so that we can move within the timelines that are required so that, by 30th of September this year, we have in place a new Independent Electoral and Boundaries Commission (IEBC) that we hope will prepare a pathway to the next elections that will be fair, transparent and that would give this country the will of the people.

Now that we have said that people are going to move parties within given timelines, as has been said by Members previously, it is now incumbent upon political parties to ensure, as we are demanding free, fair, transparent elections, that nominations are free, fair, transparent and that all candidates within those nominations feel that they have a fair chance to have a certificate that can lead them to come to this House or any other position.

As we go on recess, I did not get an opportunity to contribute to the Fundraising Appeals Bill. Anything that tries to put too much bureaucracy in the way of our people when they require contributions, surely, is not required. We want to contribute to---

(Hon. (Ms). Wanga burst into peals of laughter)

When our Members--- Hon. Speaker, protect me from Hon. Kajuku. I was saying that we have to contribute in *harambees* of our members to support them.

I support. Thank you, Hon. Speaker. I wish all Members a very good recess.

Hon. Savula: Thank you, Hon. Speaker.

Hon. Speaker: Hon. Members, I was not able to see whether Hon. Wanga was actually laughing or crying.

(Laughter)

I thought when you work over, you should not cry. When you are the boss, you should not cry. Hon. Munuve.

Hon. Mati: Thank you, Hon. Speaker. I thank you most profusely for giving me this opportunity; an opportunity that gives me the chance to say one thing.

What this honourable House has done today is something that has got us to where we have not been in the sense that it is a sad day.

It is a sad day because we have put the cart before the horse. We need very strong parties. I am a strong advocate of strong parties that have an ideological base, principles and well-defined rules of engagement. We are developing strong parties out of very weak structures because political parties in our Republic are institutions which, as I have termed before, are personal political parties (PPPs) and family political parties (FPPs). A party should adopt an ideological position that is shared by a population and not a family or an individual. It would have been better for us to allow a few more years for the development of political parties so that they become institutions rather than family institutions or personal property.

I am very fond of referring to Karl Marx. Karl Marx writings in the 1850s talked about the need for democratic centralism as the art of subjecting the individual options or positions to the collective will. Although it is a sad day, John Munuve subjects himself to the collective will. It is collective because we all agreed this afternoon to not even change commas in the Bills we passed. I subject myself to that. I will prepare myself along with others to make sure that I play within the rules. “Hopping”, “stepping” and “jumping” have been discontinued but, at least, we will be able to do the “high jump” because that is just one move.

Hon. Speaker, you must have done history at some point in your life. I am a student of history. Only in history do kings win wars. You hear about King Edward who beat so and so. I congratulate you because of the collective leadership that you have shown this House, along with your Deputy Speaker and your team. You have continued to take care of us. Specifically, I would like to thank you for being the father of the political orphans of this House. Please, allow me to mention just a few. Hon. Chidzuga, Hon. Gideon Mung’aro, Hon. Joe Mutambu, Hon. Regina Ndambuki, Hon. Ken Obura and yours truly, Hon. John Munuve, who are the political orphans that you have continued to take care of. I pray that you give me a few more minutes because a few of my minutes were lost due to the crying or laughter that was there before. I thank you on behalf of the political orphans of this House. You have continued to take care of us.

As time goes on, we should think back on what we have done today. I speak as a representative of the 250,000 great and resilient people of Mwingi North. They should get a Member of Parliament in the next Parliament who they desire and not one who is dictated by—

Hon. Speaker: I will give you one more minute as an orphan.

Hon. Mati: Most obliged, Hon. Speaker.

They should be represented by somebody who is elected by the majority of the people of Mwingi North. We have set a precedent and standard that could generate the opposite. However, there is one famous politician, my brother the Right Reverend Raila Odinga, a man I respect very much and who has been my friend for over 30 years, who once said in the last election that *kuna farasi wawili na wengine ni punda*. As a matter of fact, I want to add that there is also a mule and a poodle. *Kuna farasi wawili, punda, mule na poodle*.

Hon. Speaker: You should choose one language to speak in.

Hon. Mati: Hon. Speaker, I stand corrected. I was just quoting and expounding what my brother had talked about, *farasi wawili na punda moja*. I was only quoting him. As we go into elections, we should be prepared to accept the verdict of the elections.

An. Hon. Member: (*Spoke off-record*)

Hon. Speaker: Hon. Wamunyinyi is not an orphan but---

Hon. Wamunyinyi: If it is an orphan who is an indisciplined child, then it deserves to be one. That is the child that wants to kill the father. You do not have to sympathise with such a child.

(Laughter)

Thank you, Hon. Speaker for giving me the opportunity to make my contribution. Going on recess will give us the opportunity to go back to our constituencies and talk to our people. We will also get to see our projects and prepare ourselves for the future.

Hon. Speaker, I want to thank you for facilitating the piece of legislation I introduced as a Private Member. It was difficult and you understand the circumstances that the Bill went through. I also want to thank Members who supported that Bill and His Excellency, the President for assenting to it. I know it is going to have a lot of impact and save some amount from the farmers. The people of Kenya will also benefit from that piece of legislation.

Today is a great day because of the law that has been passed. We want to grow in our parties. Members should be strong in their parties. If you participate in party nominations and lose, being a loyal member of the party, you should remain there. We need to make sure that we have free and fair nominations. When all aspirants are satisfied, then it is easy for them to remain in their parties even after losing.

I am Member of FORD-Kenya and the Chairman of the Party in the county. I will participate in party nominations. Can you imagine me losing and then supporting Jubilee? That will be very awkward. It would mean that one is not principled and does not believe in oneself. Losers should remain in their parties. That should be the spirit so long as we have free and fair nominations.

Hon. Speaker, I have been associating with the Human Rights Caucus. Hon. Aghostino Neto and Hon. Waiganjo asked me to support the caucus. Sometimes, we disagree on issues particularly on gender that keeps coming up all the time. Members also talked about it during the Adjournment Motion. It is true that we want to support the promotion and protection of human rights, but not gender all the time. Did God consider gender? We have the family unit; husband and wife making children. At no time has anyone ever been told to make five boys and three girls. Or that 30 per cent of your children have to be of either gender. God did not see it that way. Why does it come up every time? God only said that you go and multiply. He did not say that people should make boys or girls. Children are children. They are all equal. We should not talk about men or women. People are people. I thank you for giving me the opportunity. I wanted to express this important point for my colleagues to also note this.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Rasso, Member for Saku.

Hon. Dido: Thank you very much, Hon. Speaker, for giving me this opportunity.

First of all, I want to thank you for providing leadership to this House. Sometimes, it is not being smart or intelligent. Your intuition and wisdom has provided a good direction to this House.

(Hon. Kipyegon walked out of the Chamber)

As a member of Jubilee, I welcome the orphan because there is enough room in Jubilee. I think he has just walked out.

I thank the President and the Deputy President for providing leadership to this country. There are many good things that have happened during this Session. We have held the World Trade Organisation Conference and the Tokyo International Conference on Africa Development

which has just ended. Those are some of the major things in the area of economic improvement and investment in Kenya.

The just concluded Bills on elections provide a watershed in legislation in this country. There is a philosopher who said: "The best can be the enemy of the good." We must make good laws for our country because today we are in this House making laws. Tomorrow we are private citizens out there. The laws that we make here must stand good in the fullness of time.

The problems of Kenya are about education, poverty, unemployment and the economy. But, the most contentious thing has always been the elections. When the elections come, there is a change of mood suddenly. Everything changes in Kenya. The investors want to run away and some Kenyans who have homes abroad want to leave the country. Kenyans have a lot of faith in the National Assembly or the Parliament of Kenya. We must provide leadership so that we have good elections that are just and fair. Elections that provide grounding that Kenya is not about elections, but should be about the frontiers of development and the economy in this region.

On the issue of party hopping, one thing we have come to realise is that, if people have faith in their parties, then they cannot move away. Since 1945, the Americans have managed to have only two major parties. The British have two major parties. The third one is there, but it is a sort of a mongrel that will not win any elections. For that reason, if we have good parties that are grounded in democracy and the rule of law, this country can be stable. We can live for the future generations and hand over a country from one generation to the other.

With those remarks, I thank you, Hon. Speaker.

Hon. Speaker: Member of Suna East Constituency.

Hon. Nuh: Thank you, Hon. Speaker. First and foremost, I would like to thank you for the Session that is ending today. People in this country have really felt the authority of the legislative arm of Government. Some of the laws that have gone through in this Session that is ending today have really had a huge effect in this country. One is the amendment we did on the Banking Act. With the presidential assent, that has really made the cost of living in this country to go down. People have been suffering with huge debts. That has given the people of this country a sigh of relief in terms of the cost of living.

The other thing that has happened is the Bill that has just been passed today. I have seen the media now names the Bill as the Bill that bars party hopping. This Bill contains many other important things other than the party hopping issue. The party issue has been so huge in the House that it has overtaken the other issues that have been done inside that Bill.

Some of my colleagues who complained about the party hopping are party leaders. Some are starting third and fourth forces. People might go to them to look for certificates to run in the next elections. If people will come to you to ask for certificates to run in constituencies, wards and in the presidential election, why are you worried about party hopping?

Hon. Speaker, it is high time that somebody must adopt the orphans you have taken care of, as Hon. Mule has alluded to. From tomorrow, they must look for foster parents either in Jubilee or in the Coalition for Reforms and Democracy (CORD). They will not survive anymore in the status they are living now because from tomorrow, you either belong to a serious party or you are party-less.

One of the new things that came with the new Constitution 2010 was you can contest for an election as an independent candidate. That tells you that you either belong to a serious party like the Orange Democratic Movement (ODM), Jubilee or the Wiper Democratic Movement (WDM), or you contest as an independent candidate. The ruling of the Speaker said that those are parliamentary parties. Parties which have less than five Members of Parliament are not even

funded by the exchequer. They cannot even get money from the exchequer and yet, their leaders call themselves party leaders. Which party? They are briefcase parties masquerading as parties in this country.

The other issue I wanted to agree with my colleague, the Hon. Bungoma County, is that of women.

(Laughter)

I am sorry, Hon. Speaker. I meant Hon. Wamunyinyi. I agree with him. About the gender issue, there is this notion being peddled in the country that if the gender rule is not passed, somebody will go to court and dissolve Parliament. You are one of the most experienced lawyers in this country. I am not a lawyer, but I do not understand where that notion came from. How do you dissolve Parliament because of gender? The same court that is going to dissolve Parliament will need budgetary allocation to dissolve it and Parliament is not going to give it. The people who told those stories to our women, including my wife, cheated them. Parliament will stay. If you want to come here in big numbers, the election is coming in August. Go to the ground, campaign and get as many constituencies as you can. Why are you waiting for free things to be given to you? Rwanda is 60 per cent. There is somebody disturbing me here. He eats that thing of Indians.

(Laughter)

The last thing is that I thank my party leader. He has shown leadership on this issue of the Elections Bill. There are some Members---

Hon. Speaker: Member for Mathira.

Hon. Weru: Thank you, Hon. Speaker, for giving me this opportunity. At the outset, I thank you for having presided over this House over the Session with a lot of wisdom which has taken us this far.

I also thank my colleagues from the Committee on Environment and Natural Resources that is in charge of mining and water. It has been able to churn so many pieces of legislation through this House, and they have received a lot of support from Members of this House. I thank them as well.

This Session has coincided with the first quarter of the financial year and I thank you and the Committee on Roads because of the way it has taken some of the petitions that we have brought here.

The people of Mathira were demonstrating the other day because of a road that passes from Karatina towards Ihuagi and Karatina University. Although the Committee has not tabled the Report, they called me to their Committee. They had summoned the Ministry of Roads and Public Works and gave them directive that whatever needed to be done ought to be done.

I wish to report to the people of Mathira that the three sections of the road will be tarmacked all the way from Jambo to Karatina.

Hon. Speaker, I thank you and this House for the speedy implementation of the Budget that is now ongoing, particularly the Departmental Committee on Agriculture, Livestock and Co-operatives, which brought about the inclusion, for the first time, of coffee farmers. It is sad today that I saw a bit of disquiet in the way coffee continues to be handled in my constituency by

the county government. We as the peoples' representative here have brought these issues and I want to thank the President, in a very special way. He set up the taskforce that has a Report that will be implemented. Coffee is the only crop that most of my constituents depend. They should be able to get the benefits from the crop as it should be, as opposed to being made slaves by individuals.

Today was a great day for this country. For the first time, we have taken a bold step and decided that we need parties that are based on ideologies, issues and have an agenda. The President, during the time he was being sworn in, said that he wants to embark on a path of uniting this country and true to it, what we have seen today is a good step towards ensuring that we stop having family parties, like one that I know will be bringing their dead to bury on the oncoming executive meeting over the weekend next week, to ensure that ideas and the issues that face this country are consolidated and become the agenda of political parties.

As I stand here, I am a product of party hopping and this product does not just come because you want to be there. It is a very unpleasant position to be in. It is a position that happened because of unfair nominations. So, as we get this, we need to ensure that party nominations are free, fair and transparent and subscribe to the party ideals and the will of the people.

I want to tell those who are coming and joining Jubilee with the ideas that they have as families and as parties that are regional. Some of them do not go beyond a constituency. They are not coming to bring those ideas here. They will come and join what his Excellency Uhuru Kenyatta wants and we are going to show them how we do it in Jubilee.

Hon. Speaker: Leader of the Majority Party.

Hon. Aden: Thank you, Hon. Speaker for the opportunity to speak to this Motion for Adjournment which I support. Let me take this opportunity to most sincerely thank you and your leadership team for the good work during this session that is now elapsing. It has been a very busy time. On the same breath, I also thank my colleagues seated in this House, who have participated in this law-making process over this period of time.

I must say that I have felt very encouraged during this time because we have passed very many substantive laws which will impact the lives of Kenyans, with exception of the law on bank interest rates which is one of its kind. It has made a positive impact and because of the good work of this House, Kenyans are going to pay lesser money for the loans they owed banks and will pay far less money for the loans they will take in future.

This has made some of the dreams of many Kenyans become a reality. Many are now able to start businesses and own a house through mortgages because of the new rates. I want to encourage the commercial banks to exercise ethical business and to not only restrict themselves to the bare minimum of the law but even do better so that Kenyans can have a better life. The more Kenyans are able to access funds, the more they start businesses and the more money banks will make.

The other law is the one we have just passed today; the Election Laws (Amendment) Bill. Indeed, it is historic and it is not just about party-hopping, there are a lot of good things in this particular law which are very encouraging. For persons who will be registering for ID cards, the process has become easier because of this particular law. The MPs or the public should not be worried with regard to the issue of party-hopping. What we need to focus on is to revamp our political parties, reform them and make sure that they have transparent nomination processes.

Members should go back to their parties because they have authority to reform them and ensure that we have parties that will excise fairness. This Bill just like the Interest rates Bill will

lift our country or democracy to that of the developed countries where there are only few political parties that are well structured and organised. From time to time we see them move in and out of power and office because of the will of the people. There are many other laws which we encouragingly passed.

As I end, I take this opportunity to go and serve the people of Balambala during this recess.

Hon. Speaker: Member for Kandara.

Hon. (Ms.) Wahome: Thank you, Hon. Speaker. May I join my colleagues to also thank you, your office together with the Speaker's panel and the Leader of the Majority Party for showing a lot of devotion to the work of this House. Today, we had a very unanimous arrangement in this House on matters that ordinarily we would not have been in agreement.

On Monday, this week, I was at Nation Television station with Prof. Anyang-Nyong'o and Farah Mohammed and the question of whether we shall allow party-hopping came up for debate. Clearly there was disagreement and the opposing side led by Farah said that there is no way we can legislate against party-hopping and I agreed. Today, this House did not legislate against party-hopping as such. I think we put sense in the manner in which we carry out our nominations towards the elections time. I personally suffered manipulation and mistreatment during nominations in 2002 and 2007. I agree that I did party-hopping, skip and jump. The fact is that if we can prevent the reasons that disfranchise and make people feel badly treated and lack of free and fair nominations, we shall have given a blow to injustices during the primaries.

The country must know that the right to choose a political affiliation and party is still protected within the Constitution, so that Kenyans do not understand what we have done today as preventing them from making choice of the party. The media seems to be indicating that we have resolved there is no party-hopping. What we are saying is that make the choice of which party you want to associate with now. It is completely unfair--- In the last elections, after we conducted our nominations in Kandara, which I won with a landslide, the other five gentlemen and one lady except one joined other parties. This is malpractice. It is undemocratic. We hope that from now on we can put sense even to ourselves as aspirants so that we make choices early. There is time to deal with that because we have until possibly February or March for people to make their decisions and minds. I am against party-hopping after nominations.

I am sad because there were very good amendments proposed by Members, but because of the arrangement of this afternoon, those amendments have been withdrawn. I had two amendments and one of them was speaking to the question of production and distribution of materials before campaigns begin. Of course, it did not see light of the day. I withdrew it.

Hon. Speaker, I must respond, if you can give me a minute. Hon Junet has spoken to the question of gender equity and gender balancing during nominations and I think that he is quite misinformed about Article 81 of the Constitution that says that any elective or appointive position should observe the gender principle. Maybe he does not understand inclusivity and marginalisation. When those---

Hon. Speaker: Hon. Athanas Wafula Wamunyinyi explained this. Anyway, I give you one more minute. But before I give you the one minute, let me make this clear: There is nothing that says that this Bill, as passed today, cannot be amended before the next general elections, including amending it to compel political parties to ensure that the list they submit to IEBC complies with that particular constitutional requirement. We should not aim at going the easier route of amending the Constitution. The Constitution says Parliament shall enact legislation to provide for this. You Members of Parliament have the opportunity to enact legislation to make

sure that political parties comply now that you are creating big ones and you are describing them in an interesting way. These are the political institutions of governance that should be compelled through legislation passed by this House to implement the gender principle in the Constitution.

You have one minute.

Hon. (Ms.) Wahome: Hon. Speaker, indeed, the courts have expressed themselves on this question and Hon. Kaluma knows that. The courts have determined that Parliament has the onus of coming up with legislation. We should thereafter be looking at the adequacy or inadequacy of the legislation. Therefore, Parliament is failing this nation by continuously failing to come up with legislation. My colleague, Hon. Junet should understand when we talk about marginalization, equity and equality of persons, both men and women. His wife is very right to be on the side of coming up with legislation.

(Loud consultations)

Hon. Speaker, I am saying that his wife was very correct---

Hon. Speaker: Member for Mbita.

Hon. (Ms.) Odhiambo-Mabona: Thank you, Hon. Speaker for giving me this opportunity. I support the Motion. I am, however, disappointed with the caveman ideology espoused by one of our party leaders, Hon. Junet Mohammed. That ideology does not reflect the position of the party. The party has said that it is reforming on the issue of gender. In fact, we are the largest party in this country with only one woman elected as Member of the National Assembly. We cannot be moving in that direction. I am going to report him to the party leader.

(Loud consultations)

Hon. Speaker, when our party leader directed that we move in one direction, we did so. The party leader is very positive about gender issues. So, we cannot have Hon. Junet going against that position. *Jakom* has spoken!

Hon. Nuh: On a point of order, Mr. Speaker. The Member for Mbita and the previous speaker claim to be lawyers because they went to law school. Are they aware that Article 117 of the Constitution states that there should be free speech and debate in Parliament? That was my opinion as I was debating. They are allowed to give their contrary views. I will not allow women to be brought to fill this Chamber. We do not have enough space for them. If they want free things, let them compete first.

(Loud consultations)

Hon. (Ms.) Odhiambo-Mabona: Hon. Speaker, you will add me one minute because that was not a point of order; it was a point of argument. In fact, that is what differentiates between a lawyer and a pedestrian like Hon. Junet Mohammed. I would like to tell him that it is fortunate that I am standing in Mbita. If one would be allowed to stand anywhere, I would have dealt with him perpendicularly in Migori and then he would have known the power of women.

(Laughter)

This is because I floored several men and he is mince meat before me. I could deal with him in Migori.

Hon. Speaker, the law that we have passed today on elections is a two-edged sword. I have heard people say that it is historic and so on. It will be historic when it comes back to bite you. Let us remember, those of us who are speaking on democracy, that this law helps in democracy. However, we should not be selective when we stop party-hopping. We should stop party-hopping at all times so that we do not have people that Hon. A.B. Duale refers to as party-hopping without landing. If you have come to this Parliament through a party, you should stay true to that party until the end. You should not be moving towards different parties.

The way we have couched this law is that we are only allowing people towards the end. Intelligent persons know what that really means – Everybody is trying to consolidate their base and push people in one direction. I want to encourage our parties to promote internal party democracy. If we live true to the words of our national anthem--- I am glad that during the summer Olympics in Rio people really celebrated our national anthem. Some people were saying that we do not understand the words of our national anthem. However, it sounds so beautiful and it is because it is a prayer. If only Kenyans could live true to the words of our national anthem, Kenya would be an excellent place. God chose this country as a very special one but we are taking away that rightful place because we made a prayer to God and we are not staying true to it. I encourage Hon. Junet as we go on recess and Hon. Wamunyinyi who is part of our coalition to promote gender equality and equity.

Hon. Speaker, I speak as a woman elected and fought against men. I support my fellow women because I know that even as I speak one of the amendment I brought is that--- As I go doing serious projects others are busy calling me *Lor*. *Lor* is a woman who has no child. Do I need to have children to be elected? In fact, I am very effective because I have no children. The ones busy running getting children are not doing an excellent job as I am. I brought Assisted Reproduction Bill here. By the time I am 100 years old, I will be unleashing children the way I want because I brought a Bill that allows me to.

I support.

Hon. Speaker: Member for Kajiado East.

Hon. (Ms.) Tobiko: Thank you, Hon. Speaker for this opportunity. I stand to support the Motion for Adjournment. It has been a long and intensive session. It is good to have this break to go and interact with our constituents and continue with development in our constituencies.

Today, we have behind us very sensitive Bills: the Election Laws Bill, the Election Offences Bill and the entire Report of the Select Committee also behind us. We are done with it. Now that it is over and headed to the Senate, it will not cause jitters for our political leaders. At least if we cannot have our way, we can have our say. This House has risen above its own self-interest and self-perpetuation. The ball is now on the court of those who lead the political parties to make them more democratic. Nobody hops from one party to another just for the sake of it. People do that for the sake of survival including myself. I remember just two weeks to the elections of 2013, I was in the Coalition for Reforms and Democracy (CORD). I thank God that I jumped ship. I was in ODM and I thank God I jumped. They did not believe a woman can make it for a political position in a conservative community like the Maasai. We proved them wrong. I thank Jubilee for giving me a chance. By giving me that chance, we made history.

A number of Members are making jokes about gender representation in this House. I wish the women of this country can now take note that the same people they elected have come to trivialise matters to do with gender. They can now go ahead and elect women so that we stop

being a laughing stock in this House. I remind our colleagues here that we may be few but a number of us including Hon. Millie Odhiambo and Hon. Alice Wahome from Kandara Constituency contested with men and we floored them. We are going to floor them again. Actually, I cannot wait to reach 8th August, 2017 to prove to those men and to the doubting Thomases that we can do it again. The development we have done in our communities will definitely bring us back. I want to sit down in order to give a chance to somebody else. I was not able to contribute to the Public Fundraising Appeals Bill. We should encourage people to continue contributing to society in the building of churches and other social issues according to their own will. We have always held *Harambees* to address very urgent and needy situations. I have a constituent who has gone to India for a kidney transplant and we had to contribute around Kshs4.7 million. There was no way this guy would have raised that amount on his own---

Hon. Speaker: Let us have the Member for Homa Bay Town.

Hon. Kaluma: Thank you, Hon. Speaker. It is a great day. We are coming to the end of this session. Allow me to be very brief.

Let me thank you for giving this House the leadership we have seen from the start of this session to date. The Speaker's panel has been very good. Hon. Rachel Shebesh has just been amazing. Hon. Jessica Mbalu is doing a great job. Hon. Chris Omulele is learning very fast under your tutelage. I commend them for the good work they have demonstrated.

In this session, we passed very serious laws. As we go home, part of our duty will be to educate our people outside there on the benefits of those laws. I would like to request the concerned sectors like the banking sector to move as fast as the Cooperative Bank has and begin implementing the banking law without much ado and avail the benefits to Kenyans.

Today, as we go home, I am happy about two fundamental things I have learned from this House. The idea of leadership is that you are followed. In fact, leadership is followership. Today, we have confirmed to the nation that there are leaders in this country and when they speak, they are followed. President Uhuru Kenyatta is a leader because when he speaks to an issue, it is followed. The Deputy President, William Ruto, is a leader because when he speaks it is followed. The Prime Minister and his team in the Coalition for Reforms and Democracy are leaders because when they speak it is followed. This is why we had very strong feelings about amendments that could be made. I had so many amendments. Because these great leaders had spoken when that negotiated instrument came forth and said that it should not be open to amendments, we put aside all those independent individual thoughts to confirm that leadership in our country means something. I request those leaders to intervene more in terms of how we will move the country forward.

Secondly, a philosophy has developed in this House today. The philosophy of tyranny of numbers has diminished. Today there is a new philosophy christened tyranny of loyalists. For the first time, I enjoyed speaking in the same voice as the Leader of the Majority Party and other serious leaders across the aisle. That is the way we need to go. Today, we have developed the principle that Kenya is truly a multi-party democracy.

I remember the words of President Daniel Toroitich Arap Moi in his last Jamhuri Day speech that when you choose to join KANU, do so because you believe in the ideals that the party propagates. If you leave it, do so because you do not stand for those ideals. We have stopped party-hopping. It is indiscipline when people come to a party and the following day they are in a different party. We must stay in a party throughout the duration of our terms. Some of our colleagues are mourning. This is the best decision we have made as a House. The people who will run against me in Homa Bay Town know that I am in the Orange Democratic

Movement (ODM). If you come to run against me in ODM, be sure you are going to win. Once you lose, you are going nowhere. I will be the sole candidate in the elections. In the last elections I really suffered.

I really suffered after fighting for nomination. I believed that was the end of the journey. I did not know that my main opponent was preparing to go to another party. I had to spend Kshs40 million to get to this House. This is a very fundamental thing. Let us be disciplined for us to move forward. We should also respect the leadership of our parties. Let us show leadership around changes that can be made as we cleanse the electoral process.

I wish my colleagues a very blissful and an enjoyable recess.

Hon. Speaker: Member for Sigor.

Hon. Rotino: Thank you, Hon. Speaker for giving me the opportunity to join my colleagues to make my contribution. I want to thank you because you have managed this House very well. I want to thank the President and his deputy for their good leadership. Having been in this House for a very long time, there are two very important laws that have been passed in this Session, for example the Banking (Amendment) Bill meant to control interest rates by banks. Our people have suffered for a very long time. The 11th Parliament will be remembered for having the courage to introduce new interest rates. I would also like to commend the President for having the courage to sign it. We have relieved our people of that suffering. I want to thank this House for responding to the cry of our people. People are praying that banks will adhere to the new regulations. Business people have really suffered for a long time because of the high interest rates.

Secondly, on the law regarding party-hopping, I am glad that we are growing. The President and the Deputy President are taking this country in the right direction. We need to be mature in our leadership. Some of us have suffered as a result of party-hopping. As my colleagues have said, when you face off with three people in a nomination, after winning, you spend a lot of money and again you are subjected to the general elections. You also spend a lot of money in the general elections. Party-hopping should stop. Let us concentrate on one thing; let us build our parties. This Government is big and has many positions. If you are a principled and firm person, you will not miss a position in the Government when you lose in nominations. I first wanted to oppose this Bill but later on I was convinced that it is the right thing to do.

I want to thank the Pokot and Turkana communities for maintaining peace. These two counties have always been known for cattle rustling. As Members of Parliament from those regions, we moved to marshal our people. We talked to and educated them on the need for peace. In the last two years, we have not heard of any case of cattle rustling.

(Applause)

I want to request the Turkana and Pokot MPs to go and appreciate our people for listening to us. We want to thank God for giving us peace.

I want to talk about wildlife and the menace it has brought to my people. Elephants roam everywhere in my constituency. So far, we have had three deaths. I have reported these deaths to the Kenya Wildlife Service (KWS) but they have not yet responded. They should stop elephants from roaming in villages. They keep hopping everywhere. I would like to request the KWS to immediately compensate families that lost their loved ones. They have children in school and they need that money. They should relocate these animals to other parks because that reserve is not enough for them.

I want to wish my colleagues well. Let us go for recess prayerfully. I pray that we also seek the will of God.

Hon. Speaker: Member for Seme.

Hon. (Dr.) Nyikal: Thank you, Hon. Speaker. I want to appreciate Members for the good work they have done during this Session. Together with your Panel, you have also done a very good work. Hon. Members have enumerated important Bills that we have passed during this Session. The two Bills we have passed this afternoon and the process we have gone through are the most important. I appreciate that we took a bipartisan approach and that there was a lot of give and take both at party level and individual level. I know there was a lot of give on the ways of principles, philosophies and believes. In the interest of the country, recognition and respect for leadership, this had to go.

These two Bills we have passed today are the main instruments for the implementation of the Joint Select Committee Report. It is a Report that came as a result of a bipartisan approach during a period in our country when we really had unrest. We had instability and people died. We came as Kenyans, leaders and put the Committee in place. We had no option but to implement them.

May I ask those who these Bills will give the responsibility of implementing the decisions that have been made to really appreciate the background of this? The selection panel that will be put in place, the commissioners that will be put in place, the officers in the secretariat that will be put in place and the institutions that may be picked to look at issues like audit; if they do not do their work with this thing in mind, they will let this country down. There is so much to be done. We are talking of the nine steps. If those steps are not logistically and structurally adhered to in a disciplined manner, the work we would have done will come to nil. We really do not have much time until the elections next year. We must do that.

Hon. Speaker, about party-hopping, what has basically happened is we have been asked to make a decision three months earlier. That is all. That is the summary of it. You make a decision whether you are going to be in a party or independent three months earlier. Choose which party you want. That is basically the issue that has come. I think this decision has also given parties, particularly party leadership the opportunity and obligation to make sure that we have parties that are well organised and can do proper nominations; whether they will use the Independent Electoral and Boundaries Commission (IEBC) or not. That is because the real basis of eliminating party-hopping is well organised and fair nominations. If we do that, we will go a long way in having strong parties.

May I take this opportunity to comment a little bit on the issue of corruption in this country? As we were going into recess we have no head of the Ethics and Anti-Corruption Commission (EACC). He has resigned. This is just the last one in a list of many that have come in a fairly close sequence. As a country, we must ask ourselves what is happening at EACC. Is it the people that we pick or the organisation itself? If you are a farmer and your cow comes back sick every time you take it to the field, you must start thinking of what is happening in the field. We really must ask; is it not the EACC that we should look at and probably disband it? A lot of money is being spent but it can do nothing because it cannot retain leadership. The country has to look at itself.

Finally is the issue of the two-thirds gender rule. I will call it an error that was done in the Constitution because we put a mathematical figure to be achieved through an electoral process. I have been involved in this since 2012 in Cabinet committees, technical committees (*Off-record*).

Hon. Speaker: Yes, I will give you one extra minute.

Hon. (Dr.) Nyikal: Hon. Speaker, either we do it mathematically and accept a large House as was done in Article 177 of the Constitution for the counties or we amend the Constitution. All these other efforts are really not going to work. We are dealing with a mathematical problem which is difficult to solve politically.

Thank you, Hon. Speaker.

Hon. Speaker: Hon. Nyikal, I like the way you look at things practically. This is because Article 27 (6) and (8) of the Constitution says that the State shall, through legislative and other policies, ensure that the principle of not more than two-thirds of either gender is met. Article 81 talks about the electoral system shall ensure that not more than two-thirds of the members of elective public bodies shall be of the same gender. Article 100 says that Parliament shall enact legislation to provide for the representation of women, youth, persons with disabilities, minorities and other marginalise groups. None of those three Articles says that you amend the Constitution to nominate people, as Hon. Junet and Hon. Wamunyinyi are saying. So, put it in legislation. If the electoral process, which Article 81 speaks to, is the one of past posts, Hon. Nyikal, you are 100 per cent correct. You cannot give a mathematical result upfront. It is not possible and not doable, which is the reason why I strongly feel that we needed to put this in the Election Laws (Amendment) Bill. Give it to the political parties. Compel them to do something. It is a law. Progressively, something will be achieved. Laws are made for implementation. The penal code provides that stealing is a crime and everybody knows that it is crime but people still steal. So, we make a law and IEBC will say that in the next elections, they have not been able to achieve it and that they have achieved a small bit. In the other elections, they will achieve something more progressive. We should have something on those lines. Hon. Nyikal, I like your practical approach to these things.

Let us have the Member for Turkana Central.

Hon. Nakara: Asante sana, Mhe. Spika, kwa kunipatia nafasi ya kuchangia mjadala huu kuhusu Hoja hii muhimu. Kwanza, nakushukuru wewe na kikao chako cha maspika kwa jinsi ulivyonyesha uongozi katika Bunge hili, kama tu ulivyochangia jambo la Mhe. Nyikal. Uko na hekima. Mambo yako ni machache lakini uko na hekima na unajua sheria.

Pili, nawashukuru watu wa Eneo Bunge la Turkana ya Kati kwa kunichagua kuwa Mbunge wao. Nimejifunza mambo mengi tangu nilipokuja katika Bunge hili. Nimewakuta wazee wenye hekima na nimejifunza kuwa mvumilivu. Pia, nimejifunza jinsi ya kujadili mambo yanayowaathiri watu wangu.

Ningependa pia kuwashukuru Wabunge kwani tumefanya kazi pamoja. Licha ya kuwa na mgawanyiko katika hali ya vyama, tumedumisha heshima. Tumeheshimiana bila kujali vyama ama kabila. Ningependa pia kukushukuru kwa sababu ya sheria ya riba ambayo tulipitisha katika Bunge hili. Wananchi kule nje wanashukuru sana kwa sababu benki nyingi zilikuwa zikitoza riba za juu na wananchi walikuwa wakiumia na kulalamika kwa sababu ya kulipa riba za juu. Rais alipoweka sahihi katika Mswada huo na ukawa sheria, Kenya nzima ilishangilia na hiyo yote ilikuwa kazi ya Wabunge ambao wako mahali hapa.

Nashukuru kwa nafasi hii ya kwenda likizoni ili tupate nafasi ya kutangamana na watu wetu na pia kuwaelimisha kuhusu sheria ambazo tumetunga hapa ili wajue na wasitumbukie katika mtego wa sheria. Hiyo ni kazi yetu kama Wabunge.

Tukienda kule kutangamana na hawa, tutawaeleza kuwa tumepitisha hii. Mheshimiwa Spika ni nafasi ya kwenda kuwa na watu wetu kujadili juu ya miradi ambayo tunataka ihifadhiwe mwaka huu. Tujue kutoka kwa hao na tusikie miradi ambayo wanahitaji ili tutakapokuja mahali hapa, kupitia Fedha za Eneo Bunge tuone ya kuwa miradi ambayo wananchi wametaka

imetimika na imetendeka kama vile wananchi walivyokusudia. Mheshimiwa Spika ningependa kukushukuru kwa sababu ni wakati mwingine ambao tungependa kwenda kupumuzika ili tukija mahali hapa tuwe na nguvu ya kuendesha kazi.

Mwisho, ningependa kuwaambia Wabunge wenzangu, tutakapokutana katika mikutano ya siasa hapa na pale tudumishe heshima na ule urafiki wetu maana wakati mwingine tukifika mahali pale unapata ya kwamba tunatupiana maneno makali na mambo ambayo si mazuri mbele ya wananchi, tunapoteza heshima ya Bunge hili. Kwa hivyo, ninaomba tuendele na ile heshima tuliyokuwa nayo mahali hapa. Hata kama hao ni wa kikundi ama chama kingine tukikutana tujue ya kwamba sisi ni Wabunge na tutarudi kwenye Bunge na tuendele kuheshimiana.

Hilo ndilo ambalo ningependa kuwaambia Wabunge. Ninajitayarisha kuenda kukaa na wananchi wangu. Mungu awabariki wote asanteni.

Hon. Speaker: Member for Matuga.

Hon. Mwanyoha: Shukrani Mheshimiwa Spika kwa kunipatia nafasi hii. Ningelipenda kwanza nikushukuru wewe kikamilifu kwa sababu ya vile ulivyopambana katika hali ya kudumisha na kuhakikisha kwamba sheria zinafuatwa.

Ninakumbuka mwaka wa 1967 marehemu muanzilishi wa taifa hili, Hayati Mzee Jomo Kenyatta aliulizwa na rafiki yake Hayati Julius Nyerere: “Ni kwa nini wewe unatembea na askari wengi?” naye akajibu “Ninatembea na askari wengi kwa sababu Tanzania si kama Kenya. Kenya ina wanaume.”

Na ninataka kukuhakikishia umepambana vikali Mheshimiwa Spika kwa sababu Bunge hili lina wanaume kuliko Mabunge yote ulimwengni. Kwa hivyo, umefanya kazi nzuri pamoja na kamati yako na ninakuomba likizo njema ili uweze kutafuta nguvu kwa sababu wanaume wale bado wako na watakuja na wanakungoja uwaongoze kisawasawa.

Mheshimiwa Spika, nataka kuunga mkono vikamilifu Mswada ambao umeletwa mbele yetu kwa sababu tumefanya kazi nzuri na Kenya nzima ikafurahia. Kenya imefurahia kupitishwa kwa Mswada wa kupunguza riba inayotozwa na benki. Wajua mimi huingia vichochoro vya Nairobi hii. Nimekunywa chai ya watu karibu 20 na nikiuliza kwa nini wanainunulia chai ilhali hawanijui, wanasema kwamba wamefurahishwa na kazi nzuri ya kupunguza riba. Kwa hivyo, hiyo ni kazi ambayo imeweza kulifanya Bunge hili lipate sifa na sifa ile yote imekuja kwa sababu ya usimamizi wako Mheshimiwa Spika.

Nikirudi katika sheria za vyama, nataka niunge mkono kikamilifu kwamba watu wasiruke hapa na pale. Ni lazima kila mtu afanye kazi yake kikamilifu na kama anaunga mkono chama chake kikamilifu, basi hapo hawezi kutingishwa na mtu yeyote.

Najua kwamba kuna wengi hawakusikia raha kwa sababu pengine wamepitisha Mswada huu kwa sababu baba, Rais, Mheshimiwa Wetangula au Kalonzo amependa. Wengine wao walikuwa hawapendi lakini wamefanya kwa sababu hiyo. Mimi naomba kila mtu ambaye yuko katika Bunge hili ahakikishe kwamba Mswada huu ameutilia maanani na ameufurahikia kwa sababu huwezi kubwagwa na yeyote wakati wewe unafanya kazi nzuri katika chama chako. Na mimi ninasema wale wanasema kuna mayatima, wale si mayatima. Wale wamekata shauri, wameondoka kwenye mlo na kuingia katika sehemu ambazo zina giza kidogo. Wale in mashujaa kwa sababu kuacha chakula hapa na kuenda kutafuta mahali pengine, huo ni ushujaa mkali na wanastahili sifa badala ya kuitwa mayatima.

Kuhusu NGCDF, mimi naunga mkono Mswada uliopitishwa lakini pia naomba kuwe na mipango ya haraka haswa kuhusu ili kamati ya *Oversight*. Hii kamati inaweza kufanya kazi nzuri lakini mpaka sasa nikiangalia hawana chochote wamefanya. Naomba Kamati ya NGCDF ihakikishe kwamba imepangia kamati ya *Oversight* mambo itakayoweza kufanya kwenye

shughuli zake kwa sababu kukaa bure bila chochote ni shida. Huko kwangu nilifanya hesabu na kuona watapata 30,000 peke yake kila mwaka. Hiyo ni pesa kidogo na lazima kuwe na marekebisho ili waweze kufanya kazi hii kwa juhudi. Hii ni kwa sababu wao ndiyo watafanya ile bodi ifanye kazi kisawasawa, bila hivyo mambo yataende segemnege. Nikiketi naunga mkono na kukusifu tena kwa kazi nzuri ambayo umefanya bila ubaguzi.

Asante Mhe. Spika.

Hon. Speaker: Member for Nambale.

Hon. Bunyasi: Thank you, Hon. Speaker. First and foremost in line with my colleagues, I want to thank you for the work you have done. It is obvious that you are a more relaxed person than you were three years ago when we came to this House. I do not see anymore grey hairs growing on your head. I think that this House has behaved quite well and you are managing it very well, indeed, and it is a happy outcome for everybody.

I would like to comment on just four areas. The first one relates to the fact that the House has passed what is truly landmark legislation in relation to the management of interest rates. As somebody who has worked in this area for a long time I just want to caution a little bit that the celebration maybe somewhat premature. For one, we were just beginning to push banks for full disclosure. It is only when there is full disclosure that you can know the direct interest rate costs as well as hidden costs, thus, if you control one you can see if there is any movement in the others.

We have only dealt with one and we do not know how the others are going to move. I am going to suggest to the Departmental Committee on Finance, Planning and Trade that we speak to the Governor of Central Bank of Kenya (CBK) to give us baseline analysis of where we are with this change. Hopefully, down the road every six months or one year there should be a major review to see what else has moved.

Many things can change that will disadvantage the very people we want to benefit. The majority of our population does not borrow, they save. If they did not save, they would be dead. That is why the poor and withdrawn areas survive through generations because they put aside a little bit to live on. In terms of benefits from the financial sector, the returns to those who save are more important than the cost of those who borrow. We need to look at all those aspects so that we are sure we have a balanced score card on that one.

The second one, which I think is also a premature celebration, is on the great advantages of today's legislation including the issues of party-hopping. I can see people are anticipating what happens in other democracies and saying that is the way to go. One thing we forget is that we are in a system where the internal management of political parties is not democratic. They do not hold elections, and look at the landscape of parties. Ask yourself, when did your party last hold internal elections and when do they promise to hold it?

I have seen something in the newspapers about promising to hold party elections only after the general election, for fear because they are uncomfortable with the results of the decisions at the grassroots. When we get there then these other things will fall in line. We will go to nominations without unique registers. That is something that parties fail to do almost continuously and there have been a lot of challenges. I wish everybody luck in that one.

Thirdly, when I find that the mainstream party leaders are in total agreement on something which was so divisive, I get very worried. When we get these fellows working together, something must be happening. I know it is common interest, which means irrespective of the noises we make across the isle when the vested interests go inside then you get this kind of thing. I think it is probably pointing to a solution to the issues of the cost of governance. If it

takes the mainstream party leaders to come together so quickly and they are only three or four fellows and get this kind of thing agreed upon, why did we have to do this in this House? Why did we not have just an assembly of elders with four or five party leaders to make decisions? It will be less costly. Probably that will be for another day.

As I conclude on the issue of the Election Offences Bill and the Election Laws (Amendment) Bill, the role of Director of Public Prosecutions (DPP) ought to be more proactive. The DPP should pick up cases that need to be prosecuted. We have too many cases and as a result we ignore Chapter 6 and nobody seems to care about it. We find small faults and they are not followed through until there is some noise. Even on corruption, it is only when the President made noise in this Assembly that the DPP woke up for a while. Now, it is quiet and we should remember that little things are the ones which accumulate.

All in all, we have had a successful Session in this House but with very many pending Questions.

Hon. Speaker: Member for Jomvu.

Hon. Bady: Asante sana, Mhe. Spika, kwa kunipa nafasi hii kuchangia Hoja hii. Kwanza, mimi pia naungana na wenzangu kukupa pongezi nyingi sana kwa namna ambavyo umetuelekeza katika Bunge hili. Haikuwa rahisi. Kama vile ndugu yangu Mhe. Mwanyoha alivyosema, Bunge hili liko na wanaume. Vile vile naongezea sisi kule Pwani twasema liko na nyangumi na papa ambao wanaweza kutafuna mtu akifanya mchezo. Kwa hivyo, tunashukuru kuona kuwa mawimbi yale umeweza kuenda nayo na kutupeleka kwa njia ya sawasawa.

Pili, nakupongeza kwa busara yako. Nimekuja ofisini kwako mara kwa mara nikitaka kufafanuliwa vipengele vya sheria na umenieleza namna ya kufanya kazi ambayo nimepewa na watu wangu katika Bunge hili. Vile vile, nimesikia wenzangu wakisema ulikuwa unalinda mayatima. Lakini kati ya wale mayatima unaowalinda, nataka kuzungumza kama Naibu Katibu Mtendaji wa chama cha Wiper Democratic Movement of Kenya - ndungu yetu Mhe. Munuve hajakuwa yatima. Yatima ni yule ambaye amefiwa na baba na mama. Baba Kalonzo bado yuko na analinda watoto wake. Mhe. Munuve ni mtoto mpotevu, sio mtoto ambaye ameachwa na baba.

Ni lazima tuhakikishe sheria tunazounda zitafaa wananchi wetu ambao wametutuma hapa kuwakilisha. Shida za Wakenya nyingi sana ni umasikini, ukosefu wa elimu na ajira. Ndio maana ikifika wakati wa uchaguzi tunaona fujo nyingi zinatokea na watu kutumiwa. Asilimia kubwa ya wananchi wetu wangelikuwa na ajira na elimu ya kutosha, hawangeluweza kupelekwa kwa njia ambayo sio sawasawa. Kwa hivyo, ni wakati wa Serikali kuweka mikakati muafaka ambayo itahakikisha kuwa watoto wetu na jamii zetu wanaweza kusoma na kuwapatia ajira kwa wingi.

Nimesikia Mbunge mwenzangu akizungumza kuhusu kufurahishwa na vile uhusiano umeimarika kati ya Turkana na Pokot na akasema kuwa atachukua fursa hii kuona kuwa wakirudi pale nyumbani watashikana ili wazungumze na wananchi wao. Sisi kule Pwani, ambapo matatizo kama haya hayajatupata sana, kama Wabunge marafiki watataka kuzungumza na ndugu zao pale, tuko tayari kujitolea pia ili kuzungumza na jamii ili sote tushikane tuonyeshane ile ishara ya udugu. Tuonyeshe kuwa tunaweza toka hapa na kuhubiri amani katika sehemu mbalimbali za nchi hii.

Natoa pongezi nyingi sana kwetu kwa kupitisha ule Mswada wa riba ya mikopo ya benki. Pia, ningependa kukushukuru sana kwa sababu wakati wa kujadili Mswada huo nilipata nafasi ya kuchangia. Kabla Mswada huo kupitishwa, watu waliishi katika hali ya ate ate na maisha yakawa

segemnege. Kama halingepitishwa, basi maisha ya watu yangelikuwa ni hali Waswahili wanasema ‘goji kiriba na kiriba goji’. Yaani ni pale pale ambapo sisi tunarudi.

Mhe. Spika, nafikiri tulifanya kazi nzuri sana. Tunakupongeza kwa kuongoza mijadala yetu na kuhakikisha kwamba tumepitisha sheria kwa njia nzuri ambayo itawafurahisha Wakenya.

Mwisho, nawatakia wabunge wenzangu likizo njema. Tushikane mikono pamoja. Mungu atujalie turudi Bunge tena na tufanye kazi kama ndugu ili tuwasaidie wananchi waliotuchagua.

Hon. (Ms.) Mitaru : Thank you, Hon. Speaker for giving me this chance. I will be very brief because we have spoken about most of these issues.

I would like to thank you, Hon. Speaker for working hard for this nation. I know there are many people who would want to know how the Speaker succeeds in helping parties in Parliament. You have been very good and so has been the rest of the leadership of this House.

It is good that we are going for a break it being the final year before the elections. We have passed many laws in this 11th Parliament. Indeed, you have helped very many people. When I go to my village I realize that many people do not understand what we have gone through. I would like to request Members of Parliament to go and speak to our people about the work we are doing here and moreso the laws that we have passed on their behalf.

I would also like to thank the Head of State and the Deputy President for the time they have been working very hard through the Committees of Parliament and yourself. We congratulate all of you because we know that if we continue this way, Kenya will be a better country in Africa and the world. Many people will be coming to Kenya to copy what we have done.

I am a woman and mother. I have been serving this nation from the days of my youth. I know that women have not been given the opportunity to go out and work in Government, especially in Parliament. I have been to countries like Rwanda where development has picked so fast because women are the majority in Parliament. I plead with you, Hon. Speaker, that you push for the participation of women not only in Parliament, but any leadership position in this country. It is sad that most chiefs in this country are men. Heads of departments in Government Ministries are men. Here in Parliament it is just men and men. We know that women are also good leaders.

I am happy because of the law that we passed today. When we go for nominations every political party should do the right thing. Many times we bring weaker people to contest with others. Parties need to look for the best people. Even if it means going for training, we should do so in order to identify the best in our parties.

I wish you, Hon. Speaker, a nice break. Even when you are far away, remember that your people are here. We may be your agemates, older or younger than you but you are still our dad in this House. As we pray for you, we also pray for the President and all the other leaders of this nation.

May the Lord bless you. Thank you.

Hon. Speaker: Member for Embakasi South East.

Hon. Sumra: Thank you very much, Hon. Speaker. This is an exciting closing time. Hon. Speaker, first of all, I would like to thank you so much. My people of Embakasi have not forgotten you as the Speaker and the Leader of the Majority Party. We never expected you to come for the fundraising for the mosque. Most people pray for you because you came for the fundraising of the mosque. We have developed it with the Kshs2.8 million that was raised. We will never forget you. May Allah give you blessings.

In the last two or three years, the new Members have learnt a lot of things. I also thank the staff in your office, in the Clerk's Office and in the Table Office who receive us very well. The Table Office is busy because everyone wants to get their Bills or Petitions done. The staff there are excellent.

During your tenure a new building has come up. That is very important because you are thinking ahead. The only bad thing is that our parking is getting overcrowded. During your tenure we have seen the new dining hall and we have had good food. We can talk more and more but the beauty of it is that when I meet the Jubilee Members, I get respect and love, apart from Hon. Duale who is after my tobacco, my tobacco is prescribed by a doctor.

I would also like to thank the Committees. We have learnt a lot especially from the Departmental Committee on Finance, Planning and Trade which has facilitated much development, like the establishment of economic zones.

The best thing that happened is the passage of the Banking (Amendment) Bill. We were very sceptical but the President did the best thing. This is the first time that a President of the country has done such a drastic step. We thought he was going to balance between the banks and the Bill. He has done a wonderful thing considering the fact that he owns a bank.

Previously, like the Members of the County Assemblies, we wanted to go for trips overseas. I would like to thank you for cutting down on most of the unnecessary trips which are wastage of funds. .

In the last two years, I have tried to bring the Maximum Medical Retail Price Bill, which I discussed with you. There is some interest in it because there was a time the pharmaceutical society tried to give money which I refused. I suspect there is something foul because the Bill will reduce the cost of medicine. We have discussed it in the last two years. When I come next, I will need your indulgence. Medicine that should cost Kshs100 is being sold at Kshs1000. We have proof of that. It will help the poor and country, if you put a peg on it. There is a good Bill we have drafted.

I will also bring a Bill to regulate doctors. They are charging much. If these two Bills come into place, the health care for the poor in this country will improve. Every month I buy medicine for my constituents for not less than Kshs300,000 but if I buy the same medicine from India, it costs between Kshs30,000 to Kshs40,000. There is much difference.

Apart from that, I wish all my colleagues a happy recess. I also wish you and your family a happy recess. Let us come together charged and energised. May God bless you.

Hon. Speaker: Let us have the Member for Othaya.

Hon. (Ms.) Munene: Thank you, Hon. Speaker for giving me this opportunity to speak on this Motion and the laws we have passed today. We thank God because everybody in this world knows Kenyans are one people. We thank you very much for your kindness and guidance as we do our work in Parliament. I am happy today because our leaders sat down and thought about this country and not themselves. Previously when we did not have strong parties, people would hop from party to party and we would suffer a lot. I am one of the people who suffered. Kenyans must be strong and know that when you believe in yourself and in God, there is nothing you cannot do.

It is good that we passed the law without fearing the consequences. Party nominations should be free and fair because we are all equal. It should not matter whether you know somebody or not. People used to think that Members of the 11th Parliament fight all the time because we would always be seen arguing with each other. Today, Kenyans have seen that we can work together, whether we like each other or not, because we are one and we care about this

country. Our enemies have nothing to say because tourists still come to this country. People who would laugh at us can now see that this Parliament has grown up. They know we are here to serve our people.

Even as we go on recess, we will serve our people and interact with them while engaging in our projects. We would like to request that funds from the National Government Constituencies Development Fund be disbursed so that we can begin working on our projects.

I would like to thank our leaders and tell them that we are praying for them. In 2017, nobody will run out of the parties because they will be strong and we will be equal. As we head to the elections, this is not the time for us to quarrel or fight each other. In areas where fighting has started, we want the Government to intervene. There is no need for people to fight each other.

We passed a defence cooperation agreement with Britain. The colonialists who came to this country and mistreated our people can now see that we have grown up. We are strong women. Women out there who are thinking about vying for positions should go ahead and compete against the men. There is nothing a man can do that a woman cannot do. I pray to God that when we come back for the next session, we will be strong and firm. We should think about our fellow Kenyans. We should not think about our parties but instead think about where our country is headed to. We should think about the people at the grassroots who wake up very early in the morning to line up to vote so that they can have good laws.

May God bless each and everybody. Hon. Speaker, I know the work that you have done. God said that He will pay you a double portion. May God bless you and your family.

Hon. Speaker: Let us have the Member for Mosop.

Hon. Bitok: Thank you very much, Hon. Speaker for affording me this opportunity to comment about the work that we have done and continue to do in this country. I appreciate you for the leadership that you have shown in this Parliament since you were elected as Speaker. You have directed this House which has brought a lot of development to this country. We have passed several Bills that have been assented to, including the recent Bill on interest rates. Most Kenyans are happy about that Bill and will enjoy the fruits of this House.

We have today done a lot of work in terms of electoral reforms which we see as a way forward towards strengthening parties in this country. It has always been my desire to have a country where parties reflect the ideologies and not our tribes; parties that will allow us to strengthen democracy and have free and fair elections.

We have passed laws that will give us an opportunity to have two or three parties that are worth being called parties. My party, Jubilee, a ruling party has made a lot of progress in this country. I believe it is one of the parties to be watched in the 2017 General Election. We need it for the future of this country.

In my home area, we have never had tarmac roads but since Jubilee took over power, we have seen a lot of development. With the strengthening of these parties, I am happy that my people will participate in democracy and choose the right Government that will successfully steer this country towards more development.

I appreciate the recess because we need to go and manage our affairs and mingle with our people. When we come back, we can then polish the work that we have been elected to do.

I wish you God's Blessings.

Hon. Speaker: Member of Parliament for Matungulu.

Hon. Mule: Thank you, Hon. Speaker for giving me the opportunity to add my voice on the Adjournment Motion. I would like to congratulate you for the guidance and assistance that you have accorded us for the good work we have been doing within and outside Kenya.

I want to thank the House for working very hard during this Session to pass very crucial Bills. My colleagues have alluded to the Banking (Amendment) Bill that curbs interest rates in the banks. This week, we also voted to pass a Bill because of the girl-child. I believe we achieved a milestone. We enacted the Finance Bill with amendments that do not tax sanitary pads. This ensures that more girls are sustained in schools, and we also make some savings for the Ministry of Education, Science and Technology to make sure that quite a number of girls are provided with sanitary pads by the Government.

I want to thank you for supporting different caucuses in this House without prejudice despite knowing that Committees also work very hard. Last month, I travelled to South Africa and I was elected the Chairman of the Tuberculosis (TB) Caucus, African Chapter. I have taken it up very well. I want to thank you on behalf of the members of the caucus. You have been very passionate about this issue. I want to pass the gratitude of my co-chair, Minister for Health in South Africa, Hon. Motsoaledi for the leadership and guidance he has shown on this issue. Presently, all African countries have taken up our model to form caucuses to fight the menace of TB in Africa. I want to thank you very much and pass gratitude and appreciation which came from the leader of Global AIDS Vaccine Initiative (GAVI) who met the Departmental Committee on Health yesterday at the Main Chambers at the County Hall. It was quite interesting. I wish Members were here to hear what the GAVI leader said. Yesterday when we met him, he said that he could not believe the quality and passion is so. He could not even imagine that even the British Parliament can get to the standard we are getting into when it comes to advocacy on issues of immunisation in the country.

I thank Members. I thank you and the Table team. First and foremost, being a first-time Member of Parliament, I have at least moved the Biomedical Engineers Bill which is coming for the Third Reading once we come back from recess. I urge you as the Chairman of the House Business Committee (HBC); please fast-track Members' Bills in this House so that we can at least tell our communities and people that "I went to Parliament and walked away with a Bill which is privately sponsored."

On the issue of the National Government Constituencies Development Fund, CDF is the best model which can ever be looked for in this country for development. I urge the House to think on how we can increase money to CDF in the near future. That is to make sure we are able to get more development at the constituencies' level.

I want to briefly talk about party-hopping. Members do not understand what we have done today. We have said many families and Kenyans today are in bankruptcy when they lose elections after party-hopping. I want to tell them that northern Kenya has given us the direction on the issue of how nominations of parties need to be done. I urge Members to read Clause 2(d) of the Bill we have just passed this afternoon. It is clear. I want this to go on record, a candidate for presidency, parliamentary or county election---

Hon. Speaker: You will get one minute.

Hon. Mule: I want this to go on record; a candidate for presidency, parliamentary or county election shall be selected by persons who are members of respective political parties and whose names appear on the party membership list as submitted to the Independent Electoral and Boundaries Commission (IEBC). I want to tell party-hoppers that there is no more party-hopping. I want to tell this country that the leadership of this country, both in the Jubilee

Coalition and the Coalition for Reforms and Democracy (CORD) have realised that we have people who come to this House and instead of propagating and moving the agenda of the parties which brought them here, they take off. Those days are gone. You are either in Jubilee or CORD. Make a decision now. I can attest to you that I am not going to move from the Wiper Democratic Movement. I am waiting for them to come. I will deal with them at the nominations and we go for elections and have a strong Parliament of people who have a clear ideology of the party.

Hon. Speaker: Member for Kipkelion East?

Hon. Limo: Thank you, Hon. Speaker for opportunity to contribute to this very important Motion for Adjournment. I wish to thank everyone who has contributed to very important business in this House this Session. Moreso, I think you have made a record because since we came here, this House has transacted a lot of business. Much as we have been very busy, this House has been able to sit even during late hours, even on Thursdays. From Tuesday, it is like it has been full day. This is a very good record. We have to continue. We thank you. Your Office has been very organised. It has done a good job to ensure the business of this House goes on well.

I want to comment on the very important business which this House has transacted. I confirm that this House has stamped its authority especially on passing a very important Bill to curb interest rates charged by banks. All the Houses from the 9th Parliament have tried. The 9th Parliament tried but they failed. They did not manage. It was very clear that in the long run, the capping of the interest rates would not be good for the economy, but we had no option. This country had been reduced by a serious cartel of banks. They agree and, obviously, the principles of a free economy were not allowed to operate. Therefore, we had no option. In fact, everybody, including renowned economies, agreed with us that in the short run, we had to do it. At least, we have seen the banks now reducing the rates. Before the President assented to the Bill, we saw them running up and down giving goodies. They accepted their mistake. They accepted that they have been terrorising the country.

Therefore, it is good enough. Let them face it but we will have to review it if it happens that we also need to bring other sectors into it. I think the first culprit will be the communications sector. We have seen monopolistic behaviours being practised in this country by Safaricom. Safaricom has played a serious monopolistic behaviour by trying to influence the collapse of players like Yu. They are minting billions. How do you explain minting Kshs30 billion in the name of giving service to the people of Kenya? It has been very long since the calling rates came down. It is because there is no competition. I encourage this House that we need to extend those actions to other sectors so that we bring sanity to the economy of this country.

The other ones are the Bills which we have just passed. As much as we support the Bills, it was very sad for the other side of the political divide, ODM, to refuse funding by the Government. What we are lacking in this country is capacity to carry out free and fair nominations because of lack of funds by political parties. The proposal for the Government to fund political party nominations was thrown out. I urge the President to veto it so that we can be sure that there will be free and fair nominations.

Finally, we want to bring a long lasting solution to the issues of commissioners of this country. We want to bring a law which will allow commissioners to come into place three years into the elections and exit two years to the elections so that they carry out one nomination and go. I support it and I wish everyone good health as they carry out the other activities in their constituencies. Thank you and God bless you.

Hon. Speaker: Member for Laikipia.

Hon. (Ms.) Machira: Hon. Spika, nashukuru kwa kunipatia fursa hii kuchangia mjadala wa lala salama tukielekea kwa likizo. Leo ni siku kubwa zaidi kwani tumepitisha Miswada mitatu muhimu zaidi katika Kenya yetu. Miswada hii ni muhimu zaidi kwa sababu tumekuwa na Miswada mingine mizuri lakini hatujapitisha Miswada kama hii inayohusu uchaguzi na kuhamahama vyama.

Tungepoteza mwelekeo wakati sisi sote tulikuwa tumekataa, lakini kwa kuwa na uongozi mwema ambao uko katika Kenya, tukihusisha Rais wetu, naibu wake na kinara wa upande ule wa wasio wengi, tumefanya vyema. Pengine hatutajua matunda ambayo tumevuna leo lakini tunajua ya kwamba tuna matunda ambayo tutaona yakivunwa. Huu ni wakati wa kurekebisha vile vyama vimekuwa vingi zaidi na viliyvo na watu wachache zaidi. Kazi ya hivyo vyama vidogo ni kutafuta fedha na kupoteza kura na kutoonyesha Kenya kama tunaendelea kukomaa. Sasa tumechukuwa mwelekeo ambao tutaonyesha kukomaa.

Leo tumepitisha Mswada ambao ni wa ushirikiano wa Wakenya na baina ya Serikali ya Uingereza. Ushirikiano huu ni wa kusaidia kustawisha usalama katika nchi hii yetu na wao. Mimi nikiwa nimetoka Laikipia tulifurahi zaidi kwa sababu ya kudumisha uhusiano huo.

Sisi tumefaidika kutokana na uhusiano huo. Askari ambao wametoka Uingereza wamekuwa wakitusaidia katika mambo yetu ya kawaida kama vile kujenga barabara, kujenga viwanja na hata kuwapatia vijana wetu kazi. Vijana kutoka Laikipia wamefaidika kwa kupata kazi na tumefurahi zaidi kwa sababu ya kuidhinisha huo uhusiano.

Ikiwa kuna Wabunge ambao wamesema huu uhusiano si mzuri, sisi tuna wakati wa kurekebisha. Tukisema hivyo, tunajua hapo mbeleni Kenya ililipwa ridhaa na Uingereza. Watu kutoka Samburu na Laikipia walifaidika na wamefurahi sana. Baina ya wale waliofaidika, waliondoka vijijini na kuelekea mijini kustarehe. Leo hawana chochote na bado wana maumivu yaliyolipiwa ridhaa.

Hon. Speaker: Finally, Hon. Barchilei.

Hon. Barchilei: Thank you, Hon. Speaker for this opportunity. I would like to appreciate, despite being late, for giving me an opportunity to contribute. First, I would like to appreciate the immense work done by the Members of this House and by this House because there are so many things that this House has deliberated on and as a result it has produced results.

It has culminated in having the laws that have made this country to operate within the confines of the required standards. As the House adjourns, I would like to appreciate the leadership of this House being led by the Hon. Speaker. We have had several challenges. This House has been challenged by several bodies and other arms of Government and as a good leader in this House you have guided it. As a result, the Members appreciate because we now have the NGCDF which is an agent of development in our constituencies.

I also want to appreciate that as a Member of this House, we have passed several laws which will allow this country to move forward because this is a supreme law-making organ. As we proceed on recess, I wish every one a good time. I want to thank every one and appreciate the great work done by Parliament as a sovereign law-making organ in representing the interests, will and sovereignty of the people of Kenya.

Thank you, Hon. Speaker.

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other Member desirous of further contribution and the time being 9.55 p.m., this House stands adjourned until, Tuesday, 4th October, 2016 at 2.30 p.m.

The House rose at 9.55 p.m.