

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 23<sup>rd</sup> June, 2016

The House met at 2.30 p.m.

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

### PRAYERS

### QUORUM

**Hon. Speaker:** I confirm that we do not have the necessary quorum in terms of the constitutional requirement to commence business. I order that the bell be rung for 10 minutes first.

*(The Quorum Bell was rung)*

Order, hon. Members! You may now take your seats.

### PETITION

#### DELAYED COMPLETION OF NKUBU-MIKUMBUNE ROAD

**Hon. Murungi:** Hon. Speaker, I present this Petition by the residents of South Imenti Constituency on the delayed completion of the Nkubu-Mikumbune Road.

I, the undersigned, on behalf of residents of South Imenti Constituency, draw the attention of the House to the following:-

THAT, road transportation is the most popular mode of transport in Kenya and has immensely contributed to the economic development in both rural and urban centres.

THAT, the Fourth Schedule of the Constitution classifies roads under the ambit of the national and county governments.

THAT, the Nkubu-Mikumbune road serves three wards in South Imenti Constituency namely Nkuene, Abogeta West and Igoji West and also serves as a link to Meru-Nairobi Highway and Marimba-Chogoria Road.

THAT, the said road was constructed through a low-volume seal method about 10 years ago.

THAT, during the fiscal year 2014/2015, the Government allocated Kshs10 million for the rehabilitation of the said road by the Kenya Rural Roads Authority (KeRRA).

THAT, the said Authority awarded a contract worth Kshs10 million to a private company to commence construction. However, KeRRA failed to allocate more funds for the completion of the road.

THAT, the matter in respect to which this Petition is made is not pending before a court of law.

Therefore, your humble petitioners pray that the National Assembly, through the Departmental Committee on Transport, Public Works and Housing, recommends that the Ministry of Transport and Infrastructure urgently fast-tracks the rehabilitation of the Nkubu-Mikumbune Road and gives a commitment as to when the project will be completed.

And your petitioners will ever pray.

Thank you.

**Hon. Speaker:** Order, Hon. Members! Any Member may comment, seek clarification or make observations regarding the Petition that has been read out by Hon. Kathuri. I see Hon. Kimani Njuguna.

**Hon. H.K. Njuguna:** Hon. Speaker, I would like to support that Petition in light of the fact that the road sector, like the Hon. Member has observed, is a very important sector towards the economic growth and development of this nation. Roads provide accessibility, marketing of farm produce and even socialisation. In the recent past, there has been a lot of lamentation because of roads that have stalled or those taking longer than expected to be completed.

Although the Petition by the Hon. Member is on Meru County, literally every county in this country can lament about roads. There are cases where tenders have been given, but the construction has been going on for years without completion. In my constituency, there are two roads whose construction has been going on for the last three years and God knows when they will be completed.

I would like to join the Hon. Member in requesting that roads that have stalled should be investigated so that they can be completed. That is because the people on the ground are becoming anxious. There are even areas in Murang'a County where demonstrations have been held due to such bad roads.

I would like to join the Hon. Member in his sentiments and request for speedy investigations into those roads so that they can be completed.

Thank you. I support.

**Hon. Cheboi:** Hon. Speaker, I rise to support the Petition by the Hon. Member for South Imenti. The issue of roads has been around for some time. In the recent past, some roads have been identified for construction, but many productive areas have been left out. I will give an example of a road in my own constituency between Kiambereria and Chepsir.

*(Loud consultations)*

**Hon. Speaker:** Order, Members! If the Member for Kuresoi was not as loud as he naturally is, nobody could be hearing what he is saying. Please consult in low tones.

**Hon. Cheboi:** Order, Members! You have to listen to me on this particular one, otherwise in future I might take some steps when I remember you in the kingdom.

*(Laughter)*

Hon. Speaker, I support the Petition by the Member for South Imenti. I have been to that constituency. I went there and did a wonderful *Harambee* in the African Independent Pentecostal Church of Africa (AIPCA).

Hon. Speaker, during that particular session, that road was a real issue. That was last year at about the same time as today. I remember it was after we had done the Lewa Marathon. The Government should be very careful when distributing funds which deal with roads. Kiambereria-Murinduko-Kuresoi-Chepsir Road in my constituency has been wanting for quite a long time. It is an artery in my constituency. I support this Petition. I also want to say that the Government should look at all other constituencies, and distribute resources equitably among constituencies, so that a constituency like mine, which does not have a tarmac road at all, can have one.

I will bring a similar Petition. I support the Member for South Imenti.

Thank you, Hon. Speaker.

*(Loud consultations)*

**Hon. Speaker:** Order, Members! It is fair to appreciate there is certain order in the House. As you know very well, the Member for Kuresoi has to be heard in silence for obvious reasons.

Hon. Abdul Dawood.

**Hon. Dawood:** Hon. Speaker, I support my colleague from Meru County. I believe that the roads which were under construction should be completed. Every year, we are promised roads which are not constructed. There were some roads in my constituency which were advertised but, apparently, they were removed from the advertisement when they did not get bidders. I wish they would re-advertise them so that everybody can get roads equally and equitably.

Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Johana Ng'eno, Member for Emurua Dikirr.

**Hon. Kipyegon:** Thank you, Hon. Speaker. I support *Mheshimiwa's* Petition, especially on the question of classification of roads. This is an issue which I raised the other time because when allocating money to the roads in this country, there are some areas that are completely forgotten and ignored. Nobody thinks about them. The Chairman of the Departmental Committee on Transport, Public Works and Housing should give time to Members who have the same issues - like the one that has been petitioned by *Mheshimiwa*. I also have the same issue. Like Hon. Cheboi, I wish we can sit down with the necessary authorities to identify roads which are the backbone of our constituencies and counties, so that they can be given priority. In some of our constituencies, you never find any funds allocated to major roads, which serve the whole county or constituency.

I support the Petition. We urge the Chairman of the Departmental Committee on Transport, Public Works and Housing to ensure that such roads are included in the classified roads, so that we can benefit.

Thank you.

**Hon. Speaker:** Hon. John Waiganjo.

**Hon. Waiganjo:** Thank you, Hon. Speaker. I also want to contribute to the Petition of the Member. At a time like this when the infrastructure of the country is expanding, we welcome the Petition. We need to emphasise that the national Government roads are taken care of, so that all the credit does not go to the counties. We know it is the same country, but we want to see the roads which are constructed by the national Government taking the forefront.

We also want to retain the Kenya Rural Roads Authority (KeRRA) roads because the Members of Parliament have a role to play, where KeRRA and Kenya National Highway Authority (KeNHA) roads are concerned. So, even as the roads are being constructed, we know that the membership of this Parliament has a role to play. I support the Petitioner. I also want to add that we have given the infrastructure a lot of funding in the Budget. That is the way to go. A country grows by the way its infrastructure grows. I urge that once the Petition is committed to a departmental committee, it will take it up expeditiously and meet the needs of the Petitioner.

I support the Petitioner, Hon. Speaker. Thank you.

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Members! Before we proceed to the next Order, that Petition is committed to the Departmental Committee on Transport, Public Works and Housing for consideration within the stipulated time.

Hon. Members, before we proceed, let me recognise students and pupils from the following institutions in the Public Gallery:-

Jojo Junior Education Centre, Ruaraka Constituency, Nairobi County; All Saints Kebulonik, Mosop Constituency, Nandi County; Murathi Primary School, Meru Central Constituency, Meru County and Kimangao Secondary School, Mwingi North Constituency, Kitui County.

In the Speaker's Gallery, we have the following institutions:-

Gikumene Girls High School, Imenti North Constituency, Meru County; Ngelani High School, Machakos Town Constituency, Machakos County; Mumbuni Boys High School, Machakos Town Constituency, Machakos County and Sagat Secondary School, Eldama Ravine Constituency, Baringo County.

They are all welcome to observe the proceedings in the National Assembly.

*(Applause)*

Next Order!

## PAPERS LAID

**Hon. Speaker:** Leader of the Majority Party, do you have any Paper to lay on the Table of the House?

**Hon. A.B. Duale:** No, Hon. Speaker.

**Hon. Speaker:** Vice-Chair of the Departmental Committee on Education, Research and Technology. I saw Hon. Melly.

**Hon. Melly:** Hon. Speaker, I beg to lay the following Paper on the Table of the House today, Thursday 23<sup>rd</sup> June 2016:-

The Report of the Departmental Committee on Education, Research and Technology on the Presidential Memorandum on the Engineering Technologists and Technicians Bill, 2015.

Thank you.

**Hon. Speaker:** Next Order.

## STATEMENTS

## PREPARATORY MEETING OF PARLIAMENTARY FORUM

Hon. Kajuju, give the highlights of your Statement.

**Hon. (Ms.) Kajuju:** Thank you, Hon. Speaker. As you are aware, the preparatory meeting to the parliamentary forum preceding the second high level meeting of the Global Partnership for Effective Development Co-operation (GPEDC) was held on 12<sup>th</sup> June, 2016. It was hosted by the Namibian Parliament as part of the agenda of the ACP-EU Joint Parliamentary Assembly in Windhoek, Namibia. We attended the meeting as a delegation. The Deputy Speaker of the National Assembly, Hon. Joyce Laboso, was also present. Several resolutions were made because various parliamentarians attended. Kenyan parliament will host a similar event in Nairobi in November. There are several resolutions which were made by the Sitting in Namibia.

Basically, and as a summary of what was debated, we need a closer relationship in matters of development as parliamentarians. Therefore, we will be engaging much more with the ACP and various other institutions to ensure that Parliament plays an active role towards development.

Another important issue which I would like to highlight is that the speakers of parliaments of the countries likely to be affected by the Economic Partnership Agreements' (EPAs) deadline of October 2016, were urged to explore the avenues of collectively writing to counterparts in the respective EU States Parliaments expressing the concerns raised with the coming to effect of the EPAs, with the aim of postponing the deadline for ratification of EPAs, and allow Parliament to be fully engaged in the process.

Hon. Speaker, we also resolved, as a matter of urgency, to ensure that we prepare, as Parliament, for the meeting that shall be held in Nairobi in November. One of the issues that we shall be looking at is that parliamentarians need to engage with their constituents to bring democracy, local and regional focus into the implementation of development and humanitarian objectives which will be missing if their voices are not heard.

Overall, the meeting resolved that Parliament should have a unified force and speak with one voice at the parliamentary forum preceding the high level meeting in Nairobi. This will present the necessary momentum for parliaments to be mainstreamed in the SGG processes through development planning, resource mobilization, monitoring and oversight. The participation of the Kenyan Parliament was noted and it is important that in November 2016 in Nairobi, all parliamentarians participate because it is something that is important and is going to give Parliament the centre stage in matters of development.

Thank you, Hon. Speaker and thank you for the opportunity to head the delegation to Namibia.

**Hon. Speaker:** You will keep Members posted with regard to the occasion when you will hold the other meeting.

## RECONSTITUTION OF NEW LAND CONTROL BOARDS

**Hon. Mwiru:** Hon. Speaker, I want to make a Statement concerning the constitution of new land control boards in the country. The previous land control boards were constituted in

2009 and they are not supposed to have been working up to date. That is because they were supposed to exist for only five years.

Through *Kenya Gazette* Notice No.3016 of 29<sup>th</sup> April 2016, those land control boards were degazatted by the Cabinet Secretary for Lands, Housing and Urban Development and further instructions were given to the County Commissioners to start constituting new control boards within two weeks from that date.

It has come to the attention of the Departmental Committee on Lands that although consultations were supposed to be done in terms of constituting new land control boards, that has not happened. I draw the attention of Members that although the matter seems urgent, it is only necessary for these particular Members who are in this House - because they are the leadership on the ground - to consult the County commissioners of their respective areas, sub-counties or constituencies they come from, so that those names can be forwarded to the Ministry for the purpose of gazetting new land control boards.

What has happened is that the county commissioners have used their chiefs and sub-county commissioners only, without consulting the leadership of the particular constituencies in those counties. Therefore, I inform Hon. Members that this exercise is going on and some counties have been gazetted already. They should consult with the County Commissioners in their respective areas to make sure that a consultative process is done to constitute new land control boards.

Thank you, Hon. Speaker.

**Hon. Speaker:** All Hon. Members are encouraged to ensure that they get involved in the reconstitution of the new land control boards in their respective areas. That is the long and short of the message by the Chairman of the Departmental Committee on Lands.

#### BUSINESS FOR THE WEEK COMMENCING 28<sup>TH</sup> TO 30<sup>TH</sup> JUNE, 2016

**Hon. A.B. Duale:** Hon. Speaker, pursuant to the provisions of Standing Order No.44(2)(a), on behalf of the House Business Committee, I rise to give a Statement regarding the business appearing before the House the week beginning Tuesday 28<sup>th</sup> June, 2016.

The House Business Committee met on Tuesday this week at the rise of the House to give priority to business that should be considered. On Tuesday next week, priority for debate will be given to the Motion on the Ratification of the East African Community Protocol on Sanitary and Phytosanitary Measures. We will also continue with the Second Reading of the County Allocation of Revenue Bill, 2016, should we not conclude it today.

Other Bills scheduled for Second Reading next week include:-

The Statute Law (Miscellaneous Amendments) Bill No.2 of 2015, the Warehouse Receipts System Bill, 2015, the Public Finance Management (Amendment) Bill 2015, the County Assemblies Powers and Privileges, 2014,; the Public Appointments (County Assemblies Approval) Bill, 2014, the Public Fundraising Appeals Bill, 2014, the Potato Produce and Marketing Bill, 2014, the Regiment (Territorial Force) (Repeal Bill) 2015, the Electoral Laws (Amendment) Bill No.3 of 2015 and, finally, the Civil Aviation (Amendment) Bill, 2016.

Priority will also be accorded to the Appropriation Bill, 2016 if the Report of the Budget and Appropriations Committee regarding the 2016/2017 Budget Estimates is adopted by the House this afternoon. Thereafter, we will consider the Report of the Budget and Appropriations Committee on Supplementary Estimates II for the year 2015/2016, followed by the

Supplementary Appropriations Bill No.2 of 2016 which shall be concluded before 30<sup>th</sup> June 2016.

We shall also schedule various reports tabled by the Public Accounts Committee and Public Investments Committee for debate.

On Questions before Committees, I want to confirm that the following Cabinet Secretaries (CSs) have confirmed to Parliament that they will be ready to appear before various Committees on Tuesday, 28<sup>th</sup> June, 2016. The first CS will be for Interior and Coordination of National Government before the Departmental Committee on Administration and National Security to answer Questions from Hon. Abdullahi Diriyee, Hon. Francis Mwangangi, Hon. Raphael Otalo, Hon. Ben Momanyi and Hon. Robert Pukose.

The second CS who has confirmed appearance on Tuesday is for Transport and Infrastructure before the Departmental Committee on Transport, Public Works and Housing. He will answer Questions from Hon. Malulu Injendi, Hon. David Gikaria, Hon. Olago Aluoch and Hon. Harrison Kombe.

The last CS who has confirmed his availability on Tuesday is the CS for Energy and Petroleum before the Departmental Committee on Energy, Communication and Information. He will take questions from Hon. (Ms.) Shakila Abdalla, Hon. Isaac Mwaura and Hon. Joe Mutambu.

The House Business Committee will reconvene on Tuesday, 28<sup>th</sup> June, 2016 at the rise of the House to consider the remainder of business for the coming week. I now wish to lay the Statement of the House.

Thank you.

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

*(Hon. Maanzo and Hon. Ng'ongo stood up in their places)*

**Hon. Speaker:** Member for Makueni, take a seat. You can sit behind Hon. Musimba. Hon. Member for Suba.

## MOTIONS

### DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER

THAT, aware that cattle rustling is a major menace and security threat in the South and North Rift regions and other regions in the country; noting that cattle rustling leaves behind destruction of property and loss of lives; deeply concerned that the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, defiled and rape victims, poverty, displacement of people leading to the emergence of internally displaced persons (IDPS), disruption of educational programmes and other economic activities owing to the destruction and/or closure of educational, health and other institutions; deeply concerned that the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them

under the Bill of Rights as enshrined in Chapter Four of the Constitution; this House urges that the National Government declares cattle rustling as a national disaster and establishes a Special Fund to be used in mitigating the losses suffered by and in compensating all victims of cattle rustling and resettle all internally displaced persons across the country as a result of the menace.

*(Hon. Cheptumo on 20.4.2016- Morning Sitting)*

*(Resumption of Debate interrupted on 22.6.2016 – Morning Sitting)*

**Hon. Speaker:** Hon. Members, Order No.8 is a Private Member's Motion. Debate on it was concluded on Wednesday morning. What remains is for the Question to be put.

*(Question of the Motion as amended, put and agreed to)*

*Resolved accordingly:*

THAT, aware that cattle rustling is a major menace and security threat in the South and North Rift regions and other regions in the country; noting that cattle rustling leaves behind destruction of property and loss of lives; deeply concerned that the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, defiled/rape victims, poverty, displacement of people leading to the emergence of internally displaced persons (IDPS), disruption of educational programmes and other economic activities owing to the destruction and/or closure of educational, health and other institutions; deeply concerned that the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution; this House urges that the National Government declares cattle rustling as a national disaster and establishes a Special Fund to be used in mitigating the losses suffered by and in compensating all victims of cattle rustling and resettle all internally displaced persons across the country created by the menace.

**Hon. (Ms.) Odhiambo-Mabona:** On a point of order, Hon. Speaker.

**Hon. Speaker:** Let us move to the next Order. What is your point of order Hon. Millie Odhiambo, Member for Mbita?

**Hon. (Ms.) Odhiambo-Mabona:** Hon. Speaker, I can see people are trying to make me the Speaker by seeking my opinion on whether it is the "Nays" or the "Ayes" that have it. That is not the reason for my rising on a point of order. I just wanted to get your direction. The Motion that has passed is urging the Government to move in a given direction. This House has already passed a similar Motion which is more substantive. A Select Committee in the last Parliament tabled this Motion and it was passed just before Parliament was dissolved. Will that Motion be considered alongside this or will we ignore it and only deal with this?

**Hon. Speaker:** The vote which has been taken has been on this Motion. I am not aware of that other Motion which might have been passed in the 10<sup>th</sup> or 9<sup>th</sup> or 8<sup>th</sup> Parliaments. Every



Parliament has passed this kind of Motion. The Motion is urging the Government. I imagine that Hon. Aden Duale will feel urged to pass on the sentiment of the House to the Government.

**Hon. Sakaja:** On a point of order, Hon. Speaker.

**Hon. Speaker:** What is out of order, Hon. Sakaja? Hon. Members, I will now strictly deal with points of order as they are and not as arguments. Why do you want my permission to use the Dispatch Box? Did you just come here on your two feet? Next time, use your two feet and remember to carry your card.

**Hon. Sakaja:** Thank you, Hon. Speaker. I can see Members affirming the fact that I am young and by virtue of that, I should always be digital and have my card. I just left it in the car. I want to pick up from where Hon. Millie Odhiambo has left off, and what you have just mentioned. In the last three Parliaments, similar Motions have been passed. The Joint Committee on National Cohesion and Equal Opportunity went further to bring in a substantive amendment to the Penal Code on those crimes that we are talking about, to make them capital offences. The Bill is before the House. It has gone through the First Reading and is soon going to be tabled before the House for the Second Reading. Instead of just passing Motions to urge the Government---

**Hon. Speaker:** Hon. Sakaja, as important as that information may be, it is not a point of order. It is information. I do not know who you are informing because you ought to have proceeded by first claiming that you want to give information.

**Hon. Sakaja:** I wanted to give information.

**Hon. Speaker:** You cannot give information generally.

**Hon. Sakaja:** I wanted to catch your eye, Hon. Speaker.

**Hon. Speaker:** No. You cannot catch my eye and purport to give information. You rose claiming to be on a point of order.

**Hon. Sakaja:** Hon. Speaker, the point is that we have dealt with the issue substantively. The Bill is before the House and we pray that Members pass it.

**Hon. Speaker:** Hon. Sakaja, resume your seat. Let us move on to the next Order.

**Hon. Wakhungu:** On a point of order, Hon. Speaker.

**Hon. Speaker:** Do you have a point of order, Hon. Wamalwa?

**Hon. Wakhungu:** Thank you, Hon. Speaker. I rise to seek your direction pertaining to Order No.9 in relation to the *Kamukunji* we had today. We had a resolution that Order No.9 be suspended until Tuesday. However, I can see it on the Order Paper. I want to seek your direction on whether the resolution was valid or the matter pertaining to the issue of the Budget Estimates has been changed.

**Hon. Speaker:** We have not got to that Order yet. However, this is the Order Paper which we have. It is not a supplementary Order Paper. It is the original Order Paper. Hon. Members, do I have to keep reminding you about what binds the House? I thought that by now, into the fourth year of your term, the Standing Orders must be at your fingertips.

Let us move on to the next Order.

ADOPTION OF THE REPORT ON THE BUDGET ESTIMATES  
FOR THE FINANCIAL YEAR 2016/2017

*(Hon. Kuria stood in the gangway)*

**Hon. Speaker:** Member for Gatundu South, you do not do it that way. Even if you have been to some place recently for three nights, you do not do it that way. You cannot forget our rules so fast, Hon. Moses Kuria.

*(Loud consultations)*

Order, Members! What remains with regard to this Motion is for me to put the Question. The Motion is fairly long but everybody has a copy of today's Order Paper.

*(Question of the Motion as amended, put and agreed to)*

*Resolved accordingly:*

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Estimates for the National Government, the Judiciary and Parliament for the Financial Year 2016/2017, laid on the Table of the House on Tuesday, 7<sup>th</sup> June, 2016 and pursuant to the provisions of Section 39 of the Public Finance Management Act, 2012 and Standing Order Nos. 235 and 239, approves the issuance of a sum of Kshs1,677,687,438,405 from the Consolidated Fund to meet the expenditure during the year ending 30<sup>th</sup> June 2017 in respect of the Votes, as indicated in the First Schedule, and the issuance of a sum of Kshs12,400,000,000 from the Equalization Fund to meet the expenditures as indicated in the Second Schedule subject to:-

(i) inserting the following new sub-paragraphs immediately after the subparagraph (d) under further recommendations on page 39—

(e) Allocate Kshs4,896,765,057 for the recurrent expenditures for the 'Senate Affairs' programme under the vote Parliamentary Service Commission.

(f) Allocate Kshs4,985,234,943 for the recurrent expenditures for the 'General Administration, Planning and Support Services' programme under the Vote Parliamentary Service Commission.

(g) Allocate Kshs3,200,000,000 for the development expenditures for the 'General Administration, Planning and Support Services' programme under the vote Parliamentary Service Commission.

(h) Allocate Kshs15,348,000,000 for the recurrent expenditures for the 'National Legislation, Representation and Oversight' programme under the National Assembly.

(ii) inserting a new sub-paragraph (xxii) under Paragraph 98 (Recommendations) as follows:

(xxii) Increase the capital allocation to the Vote 1065 State Department for University Education under the programme University Education for Turkana University by Kshs600,000,000.

(iii) inserting a new sub-paragraph (xxiii) under Paragraph 99 (Recommendations) as follows-

(xxiii) Reduce the capital allocation to the State Department for Energy under the programme Power Transmission and Distribution programme by Kshs600,000,000 from the following: Kshs300,000,000 from Turkwel-Lokichar line and Kshs300,000,000 from off-grid diesel power stations.

(iv) inserting the following new sub-paragraph immediately after the subparagraph (d) under further recommendations on page 39 –

(e) Allocate additional Kshs1,000,000,000 to the development expenditure for the ‘Economic Policy and National Planning’ programme under the Vote State Department for Planning and Statistics for the National Government Constituencies Development Fund.

(v) deleting the words appearing immediately after the words ‘Equalization Fund and that’ appearing under ‘further recommendations (c)’ on page 38 and inserting therefor the words -

‘Consultations be done with the leadership of the respective marginalized counties on the distribution of these funds before the enactment of the Appropriation Bill for 2016/2017.’

(vi) inserting the following new sub-paragraphs immediately after paragraph (d) under the further recommendations on page 39 –

(e) Increase the Recurrent Expenditures for the ‘Senate Affairs’ programme under the Vote Parliamentary Service Commission by Kshs500,000,000;

(f) Increase the Development Expenditures for the ‘General Administration, Planning and Support Services’ programme under the Vote Parliamentary Service Commission by Kshs.950,000,000;

(g) Increase the Recurrent Expenditures for the ‘National Legislation, Representation and Oversight’ programme under the Vote National Assembly by Kshs1,600,000,000;

(h) Reduce the Development Expenditure for the ‘General Administration, Planning and Support Services’ programme under the Vote Judicial Service Commission by Kshs1,000,000,000; and

(j) Reduce the Recurrent Expenditure for the ‘General Administration, Planning and Support services’ programme under the Vote Judicial Service Commission by Kshs261,000,000.

(vii) by deleting sub-paragraph (xvi) under increments relating to Lake Basin Development Authority (LBDA) on page 34;

(viii) by deleting sub-paragraph (xvii) and (xviii) under increments on page 34 and substituting thereof with the following –

(xvii) Increase Kshs.700,000,000 for Tourism Development and Promotion Programme under the Ministry of Tourism for the following:

- Tourism Finance Corporation by Kshs500,000,000 for onward lending in line with the corporation’s mandate.

- Ronald Ngala Utalii College by Kshs200,000,000 for construction and civil works.
- (xviii) Increase Kshs200,000,000 to Trade Development and Promotion under the Ministry of Tourism towards the construction of access road to Meru National Park.
- (ix) Increase recurrent allocation by Kshs50,000,000 to the General Administration, Planning and Support Services Programme for the National Treasury towards the Kenya Trade Networks.
- (x) Deleting the sub-paragraphs (xv), (xvi), (xviii), (xix) and (xx) under reductions on page 36 and 37 and replacing it with the following –
  - (xv) Reduce Kshs457,000,000 of the proposed capital expenditure from the State Department for Special Initiatives Programme under Model Street Family Rehabilitation Centre in the Ministry of Devolution and Planning.
  - (xviii) Reduce capital allocation Kshs376,200,000 under General Administration, Planning and Support Services Programme in the National Treasury from the following:-
    - Rehabilitation and Expansion of Herufi Data Centre by Kshs120,000,000.
    - Upgrading, Integration of Pension Management by Kshs31,000,000.
    - Equity and subscriptions in International Financial Institutions by Kshs47,700,000.
    - Establishment of secure and coordinated border control by Kshs17,000,000.
    - Treasury-Bima-Herufi Security System—car scanners, fire system, CCTV by Kshs10,500,000.
    - State Officers and Public Officers Car Loan Scheme Fund by Kshs150,000,000.
    - Public Sector Accounting Standards Board by Kshs10,000,000.
  - (xix) Reduce capital allocation Kshs463,400,000 under Public Financial Management Programme in the National Treasury from the following:-
    - Renewal of Oracle Licences, Annual support for IFMIS Applications and Hardware by Kshs50,000,000.
    - Development, Implementation of IFMIS Academy & Oracle SOA Suite by Kshs50,000,000.
    - Installation, Operationalization of Data Recovery by Kshs156,400,000.
    - Provision of Procure to Pay—System Integration for Parastatals by Kshs200,000,000.
    - The National Sub-County Treasury Services by Kshs7,000,000.

(xx) Reduce capital allocation Kshs50,000,000 under Economic and Financial Policy Formulation and Management Programme from Professional capacity development for policy analysts in the National Treasury.

(xi) effecting the consequential amendments to the total sum approved and the First schedule accordingly.”

### FIRST SCHEDULE

#### EXPENDITURE ESTIMATES FOR NATIONAL GOVERNMENT, PARLIAMENT, JUDICIARY AND EQUALIZATION FUND FOR 2016/17

Vote	Programme	Revised Estimates		
Name	Name	Recurrent	Development	Total
<b>1011 The Presidency</b>	<b>Total</b>	<b>7,943,324,669</b>	<b>481,340,000</b>	<b>8,424,664,669</b>
	0702000 P2 Cabinet Affairs	1,738,042,805	109,000,000	1,847,042,805
	0703000 P3 Government Advisory Services	1,014,751,864	-	1,014,751,864
	0704000 P4 State House Affairs	3,026,340,000	311,020,000	3,337,360,000
	0734000 P.6 Deputy President Services	2,164,190,000	61,320,000	2,225,510,000
<b>1021 State Department for Interior</b>	<b>Total</b>	<b>102,907,039,319</b>	<b>22,854,796,889</b>	<b>125,761,836,208</b>
	0601000 P.1 Policing Services	77,966,044,959	12,306,700,000	90,272,744,959
	0602000 P.2 Planning, Policy Coordination and Support Service	18,658,053,467	8,868,600,000	27,526,653,467
	0603000 P3 Government Printing Services	756,550,000	128,200,000	884,750,000
	0605000 P.4 Population Management Services	5,469,315,727	1,551,296,889	7,020,612,616
	0624000 P.3 Betting Control, Licensing and Regulation Services	57,075,166	-	57,075,166
<b>1023 State</b>	<b>Total</b>	<b>19,209,032,569</b>	<b>1,050,000,000</b>	<b>20,259,032,569</b>

<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
<b>Department for Correctional Services</b>	0604000 P1 Correctional services	18,940,161,054	1,034,700,000	19,974,861,054
	0623000 P.2 General Administration, Planning and Support Services	268,871,515	15,300,000	284,171,515
<b>1034 State Department for Planning and Statistics</b>	<b>Total</b>	<b>4,717,330,425</b>	<b>41,506,246,464</b>	<b>46,223,576,889</b>
	0706000 P1 : Economic Policy and National Planning	1,082,789,842	37,077,779,004	38,160,568,846
	O/W National Government Constituency Development Fund (NGCDF)	-	35,505,000,000	35,505,000,000
	0707000 P2 : National Statistical Information Services	1,833,333,297	1,464,520,660	3,297,853,957
	0708000 P3: Monitoring and Evaluation Services	52,987,395	111,996,800	164,984,195
	0709000 P4: General Administration Planning and Support Services	578,135,493	34,575,000	612,710,493
	0711000 P6: Gender & Youth Empowerment	125,150,000	375,000	125,525,000
	1013000 P.7 Integrated Regional Development	1,044,934,398	2,817,000,000	3,861,934,398
	<b>Total</b>	<b>649,451,492</b>	<b>2,424,000,000</b>	<b>3,073,451,492</b>
<b>1032 State Department for Devolution</b>	0712000 P7: Devolution Services	515,439,802	2,304,000,000	2,819,439,802
	0732000 P.3 General Administration, Planning and Support Services	134,011,690	120,000,000	254,011,690
<b>1033 State Department for Special Programmes</b>	<b>Total</b>	<b>1,405,811,247</b>	<b>5,111,345,330</b>	<b>6,517,156,577</b>
	0713000 P 8: Special	697,197,686	-	697,197,686

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
	Initiatives			
	0733000 P.9 Accelerated ASAL Development	708,613,561	5,111,345,330	5,819,958,891
<b>1041 Ministry of Defence</b>	<b>Total</b>	<b>98,654,161,519</b>	<b>45,000,000</b>	<b>98,699,161,519</b>
	0801000 P.1: Defence	97,019,046,637	45,000,000	97,064,046,637
	0802000 P.2 Civil Aid	450,000,000	-	450,000,000
	0803000 P.3 General Administration, Planning and Support Services	1,185,114,882	-	1,185,114,882
<b>1052 Ministry of Foreign Affairs</b>	<b>Total</b>	<b>17,206,235,947</b>	<b>3,000,000,000</b>	<b>20,206,235,947</b>
	0714000 P.1 General Administration Planning and Support Services	4,783,349,188	234,000,000	5,017,349,188
	0715000 P.2 Foreign Relation and Diplomacy	12,422,886,759	2,766,000,000	15,188,886,759
<b>1063 State Department for Basic Education</b>	<b>Total</b>	<b>58,779,803,088</b>	<b>8,395,219,512</b>	<b>67,175,022,600</b>
	0501000 P.1 Primary Education	17,077,721,827	5,960,212,400	23,037,934,227
	0502000 P.2 Secondary Education	33,221,057,017	1,632,136,500	34,853,193,517
	0503000 P.3 Quality Assurance and Standards	4,073,865,992	430,202,500	4,504,068,492
	0508000 P. 8 General Administration, Planning and Support Services	4,407,158,252	372,668,112	4,779,826,364
<b>1064 State Department for</b>	<b>Total</b>	<b>2,324,529,852</b>	<b>4,200,999,358</b>	<b>6,525,529,210</b>

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
<b>Vocational &amp; Technical Training</b>	0508000 P. 8 General Administration, Planning and Support Services	50,000,000	-	50,000,000
	0505000 P.5 Technical Vocational Education and Training	2,274,529,852	4,095,999,358	6,370,529,210
	0507000 P.7 Youth Training and Development	-	105,000,000	105,000,000
<b>1065 State Department for University Education</b>	<b>Total</b>	<b>60,652,433,681</b>	<b>11,479,095,026</b>	<b>72,131,528,707</b>
	0508000 P. 8 General Administration, Planning and Support Services	698,854,050	-	698,854,050
	0504000 P.4 University Education	56,523,437,131	11,436,091,685	67,959,528,816
	0506000 P. 6 Research, Science, Technology and Innovation	3,430,142,500	43,003,341	3,473,145,841
<b>1071 The National Treasury</b>	<b>Total</b>	<b>36,740,857,285</b>	<b>39,530,120,315</b>	<b>76,270,977,600</b>
	0717000 P1 : General Administration Planning and Support Services	30,673,807,323	4,716,981,832	35,390,789,155
	0718000 P2: Public Financial Management	4,594,027,982	32,450,698,483	37,044,726,465
	0719000 P3: Economic and Financial Policy Formulation and Management	1,084,514,599	1,362,440,000	2,446,954,599
	0720000 P4: Market Competition	340,000,000	-	340,000,000
	0206000 P6	48,507,381	-	48,507,381

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
	Government Clearing Services			
	Strategic Response to Public Initiatives	-	1,000,000,000	1,000,000,000
<b>1081 Ministry of Health</b>	<b>Total</b>	<b>28,990,110,838</b>	<b>31,279,819,184</b>	<b>60,269,930,022</b>
	0401000 P.1 Preventive, Promotive & RMNCAH	1,525,268,363	6,061,413,933	7,586,682,296
	0402000 P.2 National Referral & Specialized Services	16,546,311,082	7,032,021,896	23,578,332,978
	0403000 P.3 Health Research and Development	5,388,388,324	208,500,000	5,596,888,324
	0404000 P.4 General Administration, Planning & Support Services	5,480,575,283	9,939,883,355	15,420,458,638
	0405000 P.5 Health Policy, Standards and Regulations	49,567,786	8,038,000,000	8,087,567,786
<b>1091 State Department of Infrastructure</b>	<b>Total</b>	<b>29,039,085,190</b>	<b>147,711,782,851</b>	<b>176,750,868,041</b>
	0202000 P.2 Road Transport	29,039,085,190	147,711,782,851	176,750,868,041
<b>1092 State Department for Transport</b>	<b>Total</b>	<b>5,780,740,412</b>	<b>175,806,596,000</b>	<b>181,587,336,412</b>
	0201000 P.1 General Administration, Planning and Support Services	308,893,621	354,000,000	662,893,621
	0203000 P3 Rail Transport	248,310,000	156,285,000,000	156,533,310,000
	0204000 P4 Marine Transport	406,976,003	16,720,000,000	17,126,976,003
	0205000 P5 Air Transport	4,368,713,538	2,147,596,000	6,516,309,538
	0216000000 Road Safety	447,847,250	300,000,000	747,847,250
<b>1093 State Department for Maritime Affairs</b>	<b>Total</b>	<b>237,159,288</b>	<b>-</b>	<b>237,159,288</b>
	0204000 P4 Maritime & Shipping	237,159,288	-	237,159,288

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
	Services			
<b>1094 State Department for Housing &amp; Urban Development</b>	<b>Total</b>	<b>862,299,444</b>	<b>19,289,020,000</b>	<b>20,151,319,444</b>
	0102000 P.2 Housing Development and Human Settlement	485,420,915	7,270,100,000	7,755,520,915
	0105000 P 5 Urban and Metropolitan Development	288,450,780	12,018,920,000	12,307,370,780
	0106000 P 6 General Administration Planning and Support Services	88,427,749	-	88,427,749
<b>1095 State Department for Public Works</b>	<b>Total</b>	<b>897,187,546</b>	<b>2,047,000,000</b>	<b>2,944,187,546</b>
	0103000 P 3 Government Buildings	431,724,123	1,867,000,000	2,298,724,123
	0104000 P 4 Coastline Infrastructure and Pedestrian Access	77,103,859	180,000,000	257,103,859
	0106000 P 6 General Administration Planning and Support Services	388,359,564	-	388,359,564
<b>1105 State Department for Environment</b>	<b>Total</b>	<b>2,979,114,030</b>	<b>4,246,619,731</b>	<b>7,225,733,761</b>
	1010000 P.1 General Administration, Planning and Support Services	400,759,424	-	400,759,424
	1011000 P.2 Environment Management and Protection	1,508,273,152	3,145,619,731	4,653,892,883
	1012000 P.3 Meteorological Services	1,070,081,454	1,101,000,000	2,171,081,454
<b>1106 State Department for Natural Resources</b>	<b>Total</b>	<b>11,322,343,046</b>	<b>3,592,000,000</b>	<b>14,914,343,046</b>
	1011000 P.2 Natural Resources Management and	11,322,343,046	3,592,000,000	14,914,343,046

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
	Protection			
<b>1103 State Department for Water Services</b>	<b>Total</b>	<b>3,624,591,649</b>	<b>39,606,072,000</b>	<b>43,230,663,649</b>
	1001000 P.2 General Administration, Planning and Support Services	560,191,031	56,000,000	616,191,031
	1004000 P.3 Water Resources Management	3,064,400,618	39,550,072,000	42,614,472,618
<b>1104 State Department for Irrigation</b>	<b>Total</b>	<b>933,008,351</b>	<b>18,107,929,750</b>	<b>19,040,938,101</b>
	1004000 P.3 Water Storage and Flood Control	-	5,830,000,000	5,830,000,000
	1014000 P.4 Irrigation and Land Reclamation	933,008,351	12,277,929,750	13,210,938,101
<b>1112 Ministry of Lands and Physical Planning</b>	<b>Total</b>	<b>2,188,601,179</b>	<b>3,841,480,000</b>	<b>6,030,081,179</b>
	0101000 P. 1 Land Policy and Planning	2,188,601,179	3,841,480,000	6,030,081,179
<b>1122 State Department for Information Communications and Technology and Innovation</b>	<b>Total</b>	<b>909,425,207</b>	<b>22,313,000,000</b>	<b>23,222,425,207</b>
	0207000 P1: General Administration Planning and Support Services	287,854,207	-	287,854,207
	0210000 P4: ICT Infrastructure Development	128,184,795	22,313,000,000	22,441,184,795
	0208040 SP 2.4 E-Government Services	493,386,205	-	493,386,205
<b>1123 State Department for Broadcasting &amp; Telecommunications</b>	<b>Total</b>	<b>2,050,126,830</b>	<b>658,000,000</b>	<b>2,708,126,830</b>
	0207000 P1: General Administration Planning and Support Services	287,854,207	-	287,854,207
	0208000 P2: Information And Communication	1,554,822,623	428,000,000	1,982,822,623

<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
	Services			
	0209000 P3: Mass Media Skills Development	207,450,000	230,000,000	437,450,000
<b>1132 State Department for Sports Development</b>	<b>Total</b>	<b>3,606,950,551</b>	<b>1,555,000,000</b>	<b>5,161,950,551</b>
	0901000 P.1 Sports	3,025,610,315	1,555,000,000	4,580,610,315
	0905000 P.5 General Administration, Planning and Support Services	581,340,236	-	581,340,236
<b>1133 State Department for Arts and Culture</b>	<b>Total</b>	<b>2,651,046,449</b>	<b>986,000,000</b>	<b>3,637,046,449</b>
	0902000 P.2 Culture	1,360,160,290	660,000,000	2,020,160,290
	0903000 P.3 The Arts	604,567,692	126,000,000	730,567,692
	0904000 P.4 Library Services	636,318,467	200,000,000	836,318,467
	0905000 P.5 General Administration, Planning and Support Services	50,000,000	-	50,000,000
<b>1152 State Department for Energy</b>	<b>Total</b>	<b>2,078,552,046</b>	<b>115,183,331,715</b>	<b>117,261,883,761</b>
	0211000 P 1 General Administration Planning and Support Services	321,820,594	131,836,986	453,657,580
	0212000 P2 Power Generation	796,614,962	21,491,500,000	22,288,114,962
	0213000 P3 Power Transmission and Distribution	797,818,604	92,661,994,729	93,459,813,333
	0214000 P4 Alternative Energy Technologies	162,297,886	898,000,000	1,060,297,886
<b>1153 State Department for Petroleum</b>	<b>Total</b>	<b>91,151,598</b>	<b>4,208,400,000</b>	<b>4,299,551,598</b>
	0215000 P5 Exploration and Distribution of Oil and Gas	91,151,598	4,208,400,000	4,299,551,598
<b>1161 State</b>	<b>Total</b>	<b>8,586,076,695</b>	<b>12,678,265,821</b>	<b>21,264,342,516</b>

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
<b>Department for Agriculture.</b>	0107000 P1: General Administration Planning and Support Services	2,557,041,724	888,000,000	3,445,041,724
	0108000 P2: Crop Development and Management	5,829,187,677	10,861,165,821	16,690,353,498
	0109000 P3: Agribusiness and Information Management	199,847,294	929,100,000	1,128,947,294
<b>1162 State Department for Livestock.</b>	<b>Total</b>	<b>1,889,938,320</b>	<b>11,742,135,480</b>	<b>13,632,073,800</b>
	0112000 P 6: Livestock Resources Management and Development	1,889,938,320	11,742,135,480	13,632,073,800
<b>1164 State Department for Fisheries and the Blue Economy</b>	<b>Total</b>	<b>1,653,196,791</b>	<b>2,530,000,000</b>	<b>4,183,196,791</b>
	0111000 P5: Fisheries Development and Management	1,653,196,791	2,530,000,000	4,183,196,791
<b>1172 State Department for Investment and Industry</b>	<b>Total</b>	<b>2,668,815,153</b>	<b>5,379,787,000</b>	<b>8,048,602,153</b>
	0301000 P.1 General Administration Planning and Support Services	542,731,229	373,600,000	916,331,229
	0302000 P.2 Industrial Development and Investments	1,221,125,924	3,803,370,000	5,024,495,924
	0303000 P.3 Standards and Business Incubation	904,958,000	1,202,817,000	2,107,775,000
<b>1173 State Department for Cooperatives</b>	<b>Total</b>	<b>3,120,950,523</b>	<b>530,000,000</b>	<b>3,650,950,523</b>
	0304000 P.4 Cooperative Development and Management	3,120,950,523	530,000,000	3,650,950,523
<b>1174 State Department for Trade</b>	<b>Total</b>	<b>2,919,282,136</b>	<b>245,000,000</b>	<b>3,164,282,136</b>
	0307000 P 3: Trade Development and Promotion	2,919,282,136	245,000,000	3,164,282,136

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
<b>1183 State Department for East African Integration</b>	<b>Total</b>	<b>1,541,165,024</b>	<b>65,000,000</b>	<b>1,606,165,024</b>
	0305000 P 1: East African Affairs and Regional Integration	1,541,165,024	65,000,000	1,606,165,024
<b>1184 State Department for Labour</b>	<b>Total</b>	<b>1,301,843,257</b>	<b>477,200,000</b>	<b>1,779,043,257</b>
	0906000 P 1: Promotion of the Best Labour Practice	427,290,036	66,000,000	493,290,036
	0907000 P 2: Manpower Development, Employment and Productivity Management	527,486,429	411,200,000	938,686,429
	0910000 P 5: General Administration Planning & Support Services	347,066,792	-	347,066,792
<b>1185 State Department for Social Protection</b>	<b>Total</b>	<b>8,108,136,032</b>	<b>14,821,800,000</b>	<b>22,929,936,032</b>
	0908000 P 3: Social Development and Children Services	3,012,792,355	850,800,000	3,863,592,355
	0909000 P 4: National Social Safety Net	5,045,343,677	13,967,000,000	19,012,343,677
	0910000 P 5: General Administration Planning and Support Services	50,000,000	4,000,000	54,000,000
<b>1191 Ministry of Mining</b>	<b>Total</b>	<b>697,364,217</b>	<b>3,890,321,429</b>	<b>4,587,685,646</b>
	1007000 P.1 General Administration Planning and Support Services	278,715,461	-	278,715,461
	1008000 P.2 Resources Surveys and Remote Sensing	177,630,496	340,000,000	517,630,496

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
	1009000 P.3. Mineral Resources Management	241,018,260	3,550,321,429	3,791,339,689
<b>1201 Ministry of Tourism</b>	<b>Total</b>	<b>2,354,228,209</b>	<b>4,842,000,000</b>	<b>7,196,228,209</b>
	0306000 P 2: Tourism Development and Promotion	2,354,228,209	4,842,000,000	7,196,228,209
<b>1211 State Department for Public Service and Youth Affairs</b>	<b>Total</b>	<b>13,038,823,969</b>	<b>12,648,065,996</b>	<b>25,686,889,965</b>
	0710000 P 5: Public Service Transformation	5,450,449,288	1,736,156,048	7,186,605,336
	0711000 P6: Youth Empowerment	7,583,074,851	10,911,909,948	18,494,984,799
	0709000 P4: General Administration Planning and Support Services	5,299,830	-	5,299,830
<b>1212 State Department for Gender</b>	<b>Total</b>	<b>1,125,441,006</b>	<b>3,496,900,000</b>	<b>4,622,341,006</b>
	0706000 P1 : Community Development	-	2,130,000,000	2,130,000,000
	0711000 P6: Gender Empowerment	1,125,441,006	1,366,900,000	2,492,341,006
<b>1252 State Law Office and Department of Justice</b>	<b>Total</b>	<b>4,035,232,362</b>	<b>379,000,000</b>	<b>4,414,232,362</b>
	0606000 P.1 Legal Services	1,611,039,117	9,000,000	1,620,039,117
	0607000 P.2 Governance, Legal Training and Constitutional Affairs	1,749,406,113	300,000,000	2,049,406,113
	0609000 P. 4 General Administration, Planning and Support Services	674,787,132	70,000,000	744,787,132
<b>1271 Ethics and Anti-Corruption Commission</b>	<b>Total</b>	<b>2,691,080,000</b>	<b>100,000,000</b>	<b>2,791,080,000</b>
	0611000 P.1 Ethics and Anti-Corruption	2,691,080,000	100,000,000	2,791,080,000

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
<b>1281 National Intelligence Service</b>	<b>Total</b>	<b>25,346,000,000</b>	-	25,346,000,000
	0804000 P.1 National Security Intelligence	25,346,000,000	-	25,346,000,000
<b>1291 Office of the Director of Public Prosecutions</b>	<b>Total</b>	<b>2,125,584,100</b>	<b>98,550,000</b>	<b>2,224,134,100</b>
	0612000 P.1 Public Prosecution Services	2,125,584,100	98,550,000	2,224,134,100
<b>1311 Office of the Registrar of Political Parties</b>	<b>Total</b>	<b>826,916,880</b>	-	826,916,880
	0614000 P.1 Registration, Regulation and Funding of Political Parties	826,916,880	-	826,916,880
<b>1321 Witness Protection Agency</b>	<b>Total</b>	<b>379,542,900</b>	-	379,542,900
	0615000 P.1 Witness Protection	379,542,900	-	379,542,900
<b>2011 Kenya National Commission on Human Rights</b>	<b>Total</b>	<b>428,785,600</b>	-	<b>428,785,600</b>
	0616000 P 1: Protection and Promotion of Human Rights	428,785,600	-	428,785,600
<b>2021 National Land Commission</b>	<b>Total</b>	<b>1,434,548,504</b>	-	<b>1,434,548,504</b>
	0113000 P1: Land Administration and Management	156,404,226	-	156,404,226
	0114000 P2. General Administration, Planning and Support Services	1,095,244,269	-	1,095,244,269
	0115000 P3. Land Disputes and Conflict Resolutions	142,900,002	-	142,900,002
	0116000 P4. National Land Information Management System	40,000,007	-	40,000,007
<b>2031 Independent Electoral and Boundaries Commission</b>	<b>Total</b>	<b>18,565,800,000</b>	<b>765,209,700</b>	<b>19,331,009,700</b>
	0617000 P.1 : Management of Electoral Processes	18,565,800,000	765,209,700	19,331,009,700

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<b>Vote</b>	<b>Programme</b>	<b>Revised Estimates</b>		
<b>Name</b>	<b>Name</b>	<b>Recurrent</b>	<b>Development</b>	<b>Total</b>
<b>2061 The Commission on Revenue Allocation</b>	<b>Total</b>	<b>355,781,774</b>	<b>-</b>	<b>355,781,774</b>
	0724000 P.1 Inter-Governmental Revenue and Financial Matters	355,781,774	-	355,781,774
<b>2071 Public Service Commission</b>	<b>Total</b>	<b>1,179,370,000</b>	<b>39,000,000</b>	<b>1,218,370,000</b>
	0725000 P.1 General Administration, Planning and Support Services	883,361,963	39,000,000	922,361,963
	0726000 P.2 Human Resource management and Development	183,856,044	-	183,856,044
	0727000 P.3 Governance and National Values	112,151,993	-	112,151,993
<b>2081 Salaries and Remuneration Commission</b>	<b>Total</b>	<b>533,040,000</b>	<b>-</b>	<b>533,040,000</b>
	0728000 P.1 Salaries and Remuneration Management	533,040,000	-	533,040,000
<b>2091 Teachers Service Commission</b>	<b>Total</b>	<b>193,992,348,650</b>	<b>100,000,000</b>	<b>194,092,348,650</b>
	0509000 P.1 Teacher Resource Management	187,874,006,553	-	187,874,006,553
	0510000 P.2 Governance and Standards	62,185,250	-	62,185,250
	0511000 P.3 General Administration, Planning and Support Services	6,056,156,847	100,000,000	6,156,156,847
<b>2101 National Police Service Commission</b>	<b>Total</b>	<b>435,340,000</b>	<b>-</b>	<b>435,340,000</b>
	0620000 P.1 National Police Service Human Resource Management	435,340,000	-	435,340,000
<b>2111 Auditor General</b>	<b>Total</b>	<b>4,182,880,000</b>	<b>224,000,000</b>	<b>4,406,880,000</b>
	0729000 P.1 Audit Services	4,182,880,000	224,000,000	4,406,880,000

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Vote	Programme	Revised Estimates		
Name	Name	Recurrent	Development	Total
<b>2121 Controller of Budget</b>	<b>Total</b>	<b>561,269,850</b>	-	<b>561,269,850</b>
	0730000 P.1 Control and Management of Public finances	561,269,850	-	561,269,850
<b>2131 The Commission on Administrative Justice</b>	<b>Total</b>	<b>468,632,000</b>	-	<b>468,632,000</b>
	0731000 P.1 Promotion of Administrative Justice	468,632,000	-	468,632,000
<b>2141 National Gender and Equality Commission</b>	<b>Total</b>	<b>416,270,878</b>	-	<b>416,270,878</b>
	0621000 P 1: Promotion of Gender Equality and Freedom from Discrimination	416,270,878	-	416,270,878
<b>2151 Independent Policing Oversight Authority</b>	<b>Total</b>	<b>491,338,899</b>	-	<b>491,338,899</b>
	0622000 P.1 Policing Oversight Services	491,338,899	-	491,338,899
<b>Total Executive Vote Expenditure</b>		<b>816,886,528,476</b>	<b>805,562,449,551</b>	<b>1,622,448,978,027</b>
<b>2041 Parliamentary Service Commission</b>	<b>Total</b>	<b>10,382,000,000</b>	<b>4,150,000,000</b>	<b>14,532,000,000</b>
	0722000 P.2 Senate Affairs	5,396,765,057	-	5,396,765,057
	0723000 P.3 General Administration, Planning and Support Services	4,985,234,943	4,150,000,000	9,135,234,943
<b>2042 The National Assembly</b>	<b>Total</b>	<b>16,948,000,000</b>	-	<b>16,948,000,000</b>
	0721000 P.1 National Legislation, Representation and Oversight	16,948,000,000	-	16,948,000,000
<b>Total Parliamentary Expenditure</b>		<b>27,330,000,000</b>	<b>4,150,000,000</b>	<b>31,480,000,000</b>
<b>2051 Judicial Service Commission</b>	<b>Total</b>	<b>450,000,000</b>	-	<b>450,000,000</b>
	0619000 P.1 General Administration, Planning and Support Services	450,000,000	-	450,000,000

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Vote	Programme	Revised Estimates		
Name	Name	Recurrent	Development	Total
1261 The Judiciary	<b>Total</b>	<b>12,859,460,378</b>	<b>4,449,000,000</b>	<b>17,308,460,378</b>
	0723000 P.1 Dispensation of Justice	12,859,460,378	4,449,000,000	17,308,460,378
<b>Total Judiciary Expenditure</b>		<b>13,309,460,378</b>	<b>4,449,000,000</b>	<b>17,758,460,378</b>
<b>Equalization Fund</b>	<b>Total</b>	<b>-</b>	<b>6,000,000,000</b>	<b>6,000,000,000</b>
<b>Grand Total MDAs</b>		<b>857,525,988,854</b>	<b>820,161,449,551</b>	<b>1,677,687,438,405</b>

## SECOND SCHEDULE

### EXPENDITURE ESTIMATES FROM THE EQUALIZATION FUND

County/Programme	Amount (Ksh)
1. Garissa	783,480,000
2. Isiolo	746,900,000
3. Kilifi	763,500,000
4. Kwale	795,300,000
5. Lamu	722,200,000
6. Mandera	967,600,000
7. Marsabit	886,200,000
8. Narok	809,500,000
9. Samburu	869,700,000
10. Tana River	859,000,000
11. Turkana	1,050,200,000
12. Taita Taveta	751,700,000
13. Wajir	929,800,000
14. West Pokot	866,100,000
Fund's Administrative Expenditure	598,820,000
<b>Total</b>	<b>12,400,000,000</b>

**Hon. Speaker:** Order, Members! Can those Members who are walking in take their seats? Hon. Benjamin Langat, Chair of the Departmental Committee on Finance, Planning and Trade, please, take your seat. Hon. Members, for the convenience of the House, I am rearranging the business on the Order Paper so that after Order No.9, we will consider business appearing as Order No.12. That is the County Allocation of Revenue Bill (Senate Bill No.3 of 2016).

The Standing Order No. 234 reads as follows on consideration of the County Allocation of Revenue Bill:-

“Whenever the County Allocation of Revenue Bill is referred to the House by the Senate, the House shall consider the Bill within ten days and the provisions of Article 111 of the Constitution shall apply.”

The provisions relate to amendments or rejections. It is the usual threshold of 233 Members of the National Assembly for whatever amendments to the Bill as passed by the Senate or for you to totally reject it. That is why reference is made to Article 111 of the Constitution.

Hon. Members, this County Allocation of Revenue Bill has been in this House for more than 20 days. It says that we shall consider it within 10 days.

The reason we rearrange business is so that we have the Chairman of the Budget and Appropriations Committee replying rather than resume debate on that Motion. I now call upon Hon. Musyimi to reply.

## BILL

### THE COUNTY ALLOCATION OF REVENUE BILL

*(Hon. Musyimi on 15.6.2016)*

*(Resumption of Debate adjourned on 15.6.2016)*

**Hon. Musyimi:** Thank you for indulging me, Hon. Speaker.

I take this opportunity to thank the Members for their spirited but silent contribution to this Motion.

I beg to reply.

**Hon. Speaker:** Order, Hon. Members! I hope you were following what was happening. The Chairman of the Committee has replied. What remains is for me to put the Question.

*(Question put and agreed to)*

*The Bill was read a Second Time and committed  
to a Committee of the whole House tomorrow*

*(Hon. Njuki and Hon. Ichung'wah walked in the aisle)*

Hon. Members of Parliament for Chuka/Igambang'ombe and Kikuyu, you are walking hand in hand with one another in a very suggestive way.

Next Order.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[The Speaker (Hon. Muturi) left the Chair]*

## IN THE COMMITTEE

*(The Temporary Deputy Chairlady  
(Hon. (Ms.) Shebesh) took the Chair)*

CONSIDERATION OF PRESIDENT'S RESERVATIONS TO  
THE ENGINEERING TECHNOLOGISTS AND TECHNICIANS BILL

**The Temporary Deputy Chairlady** (Hon. (Ms.) Shebesh): Hon. Members, we are in Committee of the whole House. Let us have order, please. We are in the Committee of the whole House to consider the Presidential Memorandum on the Engineering Technologists and Technicians Bill. Let us have order, Hon. Kang'ata.

Hon. Leader of the Majority Party, please move. Give him the microphone.

*(Several Hon. Members walked in the aisle)*

Hon. Members, let us have order. Please, let us have our discussions outside or keep order in the House.

*(Hon. Melly stood up in his place)*

Hon. Melly, I will get to you. Relax.

*Clause 5*

**Hon. A.B. Duale:** Thank you, Hon. Temporary Deputy Chairlady. I beg to move:-

THAT, the Bill be amended by deleting the current Clause 5 and reinstating the provisions on the functions of the Board as follows-

- |                           |   |
|---------------------------|---|
| Functions of<br>the Board | <p>5. (1) The functions of the Board shall be to –</p> <ul style="list-style-type: none"> <li>a) issue licences to qualified persons under the provisions of this Act;</li> <li>b) take disciplinary measures in accordance with the provisions of this Act;</li> <li>c) enter and inspect sites where construction, installation, erection, alteration, renovation, maintenance, processing or manufacturing works are in progress for the purpose of verifying that- <ul style="list-style-type: none"> <li>(i) engineering professional services and works are undertaken by persons registered under this Act;</li> <li>(ii) standards and professional ethics and relevant health and safety aspects are observed, in line with the Occupational Safety and Health Act, 2007;</li> </ul> </li> <li>a) assess, approve or reject engineering technology qualifications of foreign</li> <li>b) persons intending to offer engineering technology professional services or works in Kenya;</li> </ul> |
|---------------------------|---|

- c) enter and inspect business premises for verification purposes or for
- d) monitoring works, services and goods rendered by professional engineering technologists;
- e) recommend for the suspension of any engineering technology professional services, works, projects, installation process or any other engineering technology works, which are done without meeting the standards;
- f) participate, as a stakeholder in formulating engineering technology programmes in public and private universities and other tertiary level educational institutions offering education in engineering technology for the purposes of registration of engineering technologists;
- g) set standards for engineering technologists in management, marketing,
- h) professional ethics, environmental issues, safety, legal matters or any other relevant field;
- i) conduct professional examinations for the purposes of registration where applicable;
- j) plan, arrange, co-ordinate and oversee professional training and facilitate internship of engineering technologists;
- k) collaborate with engineering technology training institutions and organisations, professional associations and other relevant bodies in matters relating to training and professional development of engineering technologists;
- l) determine the fees to be charged by engineering technologists and firms for professional services rendered from time to time;
- m) hear and determine such disputes relating to the professional conduct or ethics of engineering technologists;
- n) issue, maintain and enforce the code of ethics for engineering technologists and technicians and regulate the conduct and ethics of the engineering technology profession in general;
- o) determine disciplines of engineering technology under this Act; and
- p) p) do anything incidental or conducive to the performance of any of the preceding functions.

In the view of the foregoing, His Excellency the President is recommending that the Bill be amended as I have said.

What the President is saying is to increase the functions of the Board. Nothing else.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Shebesh): Okay, Hon. Member.

**Hon. A.B. Duale:** On a point of order.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Shebesh): Yes, Hon. A.B. Duale. What is your point of order? Give him the microphone.

*(Consultations)*

**Hon. A.B. Duale:** Hon. Temporary Deputy Chairlady, Hon. Abass, Hon. Cecily Mbarire, Hon. Chachu, Hon. Mbadi and Hon. Gladys are consulting. Please, you can talk to each other elsewhere because we are dealing with a serious matter. I am fasting, but I want other Members, the owner of the Bill and the Vice-Chairperson of the Departmental Committee on Education, Research and Technology to reply. You can use the facility at the back. You can go to Cheboi's Lounge.

*(Question of the amendment proposed)*

Hon. Julius Melly, you need to move the proposed amendments.

**Hon. Melly:** Thank you, Hon. Temporary Deputy Chairlady. I agree with the proposed amendment as proposed by the President. It is because Clause 4 had been omitted. In it, the functions of the Board were indicated. The proposal was that if Clause 4 was omitted, then the Board is going to exist without clear functions. Therefore, it will not have functions. We in the Committee concurred and tabled the Report as indicated.

Thank you, Hon. Temporary Deputy Chairlady.

**The Temporary Deputy Chairlady** (Hon. (Ms.) Shebesh): Okay, Hon. Melly.

The Speaker has determined the proposed amendment as having the effect of fully accommodating the President's reservations on Clause 5.

Any Member who wants to debate on this so that we can put the Question? Hon. Chris Wamalwa.

**Hon. Wakhungu:** Thank you, Hon. Temporary Deputy Chairlady. I rise to support because this recommendation is just enhancing what had been left out. We know very well that there are so many technologists out there messing up things, but now we are happy one of the critical functions of the Board is to assess, approve and cancel. At least, that is going to bring some discipline and sanity in the sector.

I also want to register my disappointment because we passed resolutions as a bipartisan House, only for Jubilee to go and determine something without the input of CORD. This is in the wrong spirit and next time---

**The Temporary Deputy Chairlady** (Hon. (Ms.) Shebesh): Hon. Wamalwa, you are really out of order. It is so frivolous and beneath your status in this House to engage on a matter that is not before us.

*(Question, that the words to be left out be left out,  
put and agreed to)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 5 as amended agreed to)*

**The Temporary Deputy Chairlady** (Hon. (Ms.) Shebesh): The Leader of the Majority Party.

**Hon. A.B. Duale:** The Bill was not mine, but the Memorandum is mine.

Hon. Temporary Deputy Chairlady, I beg to move that the Committee doth report to the House its consideration of the Presidential Memorandum on the Engineering Technologists and Technicians Bills (National Assembly Bill No.7 of 2015) and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[The Temporary Deputy Speaker  
(Hon. Cheboi) in the Chair]*

**Hon. (Ms.) Shebesh:** Hon. Temporary Deputy Speaker, I beg to report that a Committee of the whole House has considered the Presidential Memorandum on the Engineering Technologists and Technicians Bills (National Assembly Bill No.7 of 2015) and approved the same without amendments.

**The Temporary Deputy Speaker** (Hon. Cheboi): Very well. Let us have the Mover of the Bill, the Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Report. I also request Hon. Naomi Shaban to second the Motion for agreement with the Report of the Committee of the whole House.

**Hon. (Dr.) Shaban:** I second.

**The Temporary Deputy Speaker** (Hon. Cheboi): Order. Hon. Members, I will propose the Question.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Cheboi): Yes, Hon. Gumbo.

**Hon. (Eng.) Gumbo:** Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to give my views on the agreement with the Report of the Committee of the whole House.

When this Bill was introduced in this House, members of the engineering fraternity had serious issues with it. I realize that the reservation of the President has got to do with giving the Board functions, when they were deleted from the Bill. We are going to pass this Bill which will recognize Engineering Technologists and Technicians.

Even as we do so, we need to be cautious. Many of the problems we have in this country have got to do with jurisdictional lapses. This is where people who are not qualified to do some work pretend to engage themselves in those works. This is particularly prevalent in the building industry. I want to believe as we pass this Bill, let there be no illusion whatsoever that we are giving technologists and technicians a *carte blanche* to pretend to do the work that ought to be done by engineers. That is because the training and jurisdictions are different. This has to go out very clearly that this is not a *carte blanche* for people to now start wading into areas that they do not understand and for everyone to go out there and start calling themselves consultants.



Otherwise, like I did when this Bill was brought to the House, I support but with a lot of reservations. I would request the Mover that the task before us now is to educate the technologists and technicians that this Bill does not make them engineers. It takes a particular process from the training, to what you go through after you leave university, to becoming an engineer. A law of Parliament cannot bestow upon you what you are not qualified to do.

Thank you, Hon. Temporary Deputy Speaker

**The Temporary Deputy Speaker** (Hon. Cheboi): Lastly, having heard the voice from an engineer, let me look at the voice from the teaching fraternity. I have to make a decision between Hon. Melly and Hon. Cecilia Ng'etich. Hon. Cecilia Ngetich for purposes of gender.

**Hon. (Ms.) Ngetich:** Thank you, Hon. Temporary Deputy Speaker. Actually, I am the owner of the Bill and I am grateful for an opportunity to add a word to it.

I want to thank Members for having passed the Bill and accepted the Presidential Memorandum as it is. I want to take this opportunity to allay the fears of my friend Hon. (Eng.) Gumbo, that, indeed, these are not newly introduced functions.

In the amendment stage, there was a technical error such that, at the end of it all, we had two clauses dealing with the composition of the Board in Clause 4 and 5. Initially, it was meant to switch places for the composition of the Board to go to Clause 4 and then the functions of the Board in Clause 5. But during that moment, an error occurred.

In the Bill, the functions are very clear. What a technologists will do will be different from what an engineer will do. Maybe to use his own words---

**The Temporary Deputy Speaker** (Hon. Cheboi): Do not take too much time, Hon. Cecilia.

**Hon. (Ms.) Ngetich:** Okay. I will not take too much time. I just want to tell Hon. (Eng.) Gumbo that at no time will an engineering technologist be an engineer and *vice versa*. I support and thank Hon. Members for passing the Bill as it is.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Cheboi): Let us have Hon. M'eruaki. This should be the last Member on this.

**Hon. M'uthari:** Thank you, Hon. Temporary Deputy Speaker. I rise to agree with the President's Memorandum. It clarifies the Bill and states the functions of the Board. For this reason I support this Memorandum.

**The Temporary Deputy Speaker** (Hon. Cheboi): Did the Deputy Leader of the Majority Party want to say something?

**Hon. (Dr.) Shaban:** Ahsante sana, Mhe. Naibu Spika wa Muda, kwa kunipa nafasi hii. Ningependa kuongeza sauti yangu na kuunga wenzangu mkono. Kuna umuhimu kwa Wakenya kufahamu kuwa mhasibu ni mtu ambaye ana kisomo cha shahada ya juu. Hawa ambao wamepatiwa sheria hii kuwalinda ni manaibu ama wasaidizi wa wahasibu. Hivyo basi, ni muhimu kwa watu kujua tofauti ya aina mbili za wafanyakazi. Wale ambao watakuwa wasaidizi wakitaka kuitwa wahasibu, basi ni sharti warudi vyuo vikuu wakasome kazi ya uhasibu. Ahsante sana, Mhe. Naibu Spika wa Muda.

**The Temporary Deputy Speaker** (Hon. Cheboi): Asante Mbunge wa Taveta, ambaye ni Naibu wa--- That is the much Kiswahili would go.

(Laughter)

Hon. Members, that marks the end of that particular issue. I will not put the Question for the reasons that we do not have sufficient numbers. Therefore, we will proceed to the next Order.

## BILL

### *Second Reading*

#### THE KENYA ROADS BILL

*(Hon. A.B. Duale on 14.6.2016)*

*(Resumption of Debate interrupted on 22.6.2016)*

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Members, this is a resumption of debate that was interrupted on 22<sup>nd</sup> June 2016. The Chair of the Committee, Hon. David Ochieng, has a balance of seven minutes. He is not around. So, I will proceed and give members an opportunity to speak on this. I will start with the Member for Ndaragwa.

**Hon. Nderitu:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Bill. At the outset, I want to say that I was very happy about the issue of the formation of the Board. I know that the Departmental Committee on Transport, Public Works and Housing did a lot of work. That is because there was hurry on the issue of the classification of roads and also formation of the Board to streamline the problem we had with the county governments on the issue of roads. There was a problem on which roads are supposed to be taken care of by the governors and which ones are supposed to be taken care of by the national Government. I know there is an institution called the “Institution of Surveyors of Kenya (ISK)” which has been agitating to join the Board. If you go to most of these big towns, the estate agency business is one of the major areas that people engage in on a daily basis. That is because of the residential areas. For a long time, ISK has felt left out in the composition of these boards. So, I am very happy to note various institutions have been included in the composition of the boards, including the Architectural Association of Kenya and the Engineers Board. All of them are well represented in the boards. However, we need to go back and look critically because there are other associations that have been classified there that are not properly defined. I am very sure that when we form these boards, we will ensure that the people who are included will add value.

Secondly, I would like to talk about the classification of roads. Most of my colleagues have spoken on the issue of some roads that are very important being left out. Some of those roads lead to very vital facilities like schools and hospitals. Most of the times, you will find yourself in very heavy arguments with our governors because of the roads they have given priority. In some cases, they are laying marram on small feeder roads; leaving major roads that lead to very big schools. I remember one case in Mukoye Secondary School in my constituency. That school has a capacity of about 600 students. I was unable to access the school on one prize giving day because an interior road of about five kilometres was in a very poor state. If you look at that kind of a situation, you will see the need for us to do serious reform in terms of the classification of roads. The Committee did very good work by taking those roads that were in Class “D” to Class “C” and those in Class “E” to Class “D”. That is not enough. There should be

public participation so that people can pick the artery roads that are very crucial to the movement within the constituency. That is very important. During Committee of the whole House, some areas of this Bill will require serious amendments so that we do not leave out vital facilities in this classification.

It is very bad to find a whole constituency like mine lacking tarmac roads. We passed the budget and said that every constituency should get 20 kilometres of roads, but it is very unfortunate. We have been following up with the Ministry, trying to ask whether our roads have been included in the current budget, but you always get a reason why the roads have not been included. You find that even the low volume roads which have been done have potholes even before they are finished. So, it is a very critical area and I think we need to go back and look at this Act critically, especially on the issue of standards. Yes the roads are being done but, if they will be done today and within a period of one year they are eroded and are full of potholes, we will go back to a situation where people will say it is better for them to have a proper murram road than the tarmac roads. This is a critical area that we need to look at.

Another issue is that of acquisition of land for roads. This has been an issue. I sit in the Departmental Committee on Lands and we have been having issues. We deal with cases where the Government takes people's land and constructs roads before compensation has been done. An example is what happened along Galleria area. It is very clear in our Constitution that if the Government acquires your land, it has to do prompt and fair payment. However, some government bodies take the land and do their work before the process of compensation is complete. I know a road in my constituency in a place called Kariki. The Kenya Wildlife Service acquired some land to build a road almost 20 years ago. I have been following up compensation for those members of my constituency, but I have not been able to get it. So, I want Government officers to be very serious. When they acquire land, they should follow the right process. We have the National Land Commission (NLC), which is the acquiring body but, sometimes, you find the acquiring ministry wants to go behind and acquire the land itself and then go to NLC. This should go in the records that every agency, including the Ministries, should follow the proper channel when acquiring land so that proper analysis and valuation is done. If that is done, the right people will be paid fair amounts of compensation.

The issue of roads is very emotive. Roads connect us to all the areas that we would like to visit. Most social activities depend on how accessible an area is. Most of our constituencies are not connected to the main towns. You can find a big town that is a distance of 30 to 50 kilometres from the constituency headquarters and yet, you cannot access that major centre. If you want to access that major centre, you will be forced to go around your constituency. An example is Gwa Kungu Town in my constituency. It is merely 50 kilometers to Nanyuki.

*(Consultations)*

**The Temporary Deputy Speaker** (Hon. Cheboi): Order! Order! Hon. Mbadi, you absolutely have no right to convene any meeting within the precincts of the august House. It is you, the Chair, and also the Chair of one of your branches. Can you please keep your decibels a little lower?

**Hon. Nderitu:** Thank you, Hon. Temporary Deputy Speaker. I know they have another place they can hold a meeting around this place. It is allowed there. I was talking about how one can access the major markets from his constituency within the area. I was quoting a case

whereby a town like Nanyuki is merely 50 to 60 kilometres from my constituency, but for you to access it, you have to travel to Nyeri and then go all the way to Chaka, Naro Moru and then Nanyuki - about 150 kilometres. It is high time the Ministry of Transport and Infrastructure tried to understand the situation and gave the required priority to roads.

Before I finish, I would like to comment on this: There are vital institutions that we need to bring up in our constituencies. There is agitation that in every county, we should have a university. In Nyandarua, we do not have a university. I have been agitating for a university in my constituency in Nyandarua County, but it is very bad to mention that every time I talk about having a university in my constituency, people, including senior leaders in the county, say that we do not have proper roads leading to the area we have identified. The issue of roads should be looked at properly so that all the areas in the constituencies are properly opened so that whenever you need to put up any institution or any other facility that is required for use by the citizens, the issue of roads should not be an excuse.

With those few remarks, I support the Bill. As mentioned earlier, before this Bill comes to the final stages, we will make a lot of amendments so that we can take care of all the issues. Look at the issue of the National Government Constituencies Development Fund (NGCDF). Our NGCDF Committee members---

**The Temporary Deputy Speaker** (Hon. Cheboi): Your time is over. I will give an opportunity to the Member for Siaya, Hon. Christine Ombaka.

**Hon. (Ms.) Ombaka:** Thank you very much, Hon. Temporary Deputy Speaker, for giving me this opportunity. I support this Bill. I have my comments, most of which are very negative, but they are meant to improve the Bill.

It is good to classify roads to know those that are going to be constructed by the national Government and those that are going to be constructed by the county governments and NGCDF. However, while there is good intention to make good roads, so much is left undone and that is most disappointing.

There are a lot of delays. When construction takes place, one never gets to know how long it will take. It takes centuries to finish a particular road. I have in mind a road in my county, which is between Rang'ala and Siaya Town. It has taken over three years to be completed. Right now, the contractor has left the scene of the construction. They left it at a bridge. The other day, one could not pass through or access the other side of the town because the bridge was almost falling apart. The contractor is not on the site. It forces motorists to take a long route to get to Siaya Town, simply because that bridge has not been completed. One never gets to know when it will be completed. There is a time I was using the road to get to Siaya Town. I found youths almost rioting, looking for the contractor to come and complete the bridge. Soon, the Governor came and told them that it was not going to be long before the road would be done. Up to now, nothing has happened. That was last year. I am worried about the time it takes to construct a road and finish. Even the contractors come and disappear. They leave the public wondering what is happening.

It is not just delays, but even the kind of work that is done is poor. The bit that has been done is already getting destroyed because of the rains and everything is falling apart. It becomes very sad that even when they have finished the road and put bumps, the bumps are so small that people come and scrape them off, especially when an accident has happened in that area. The public take the law in their hands and erect their own bumps. They put rocks and vehicles cannot pass. Who then is responsible for constructing those roads and ensuring that the job is well done?

The public takes control. Sometimes, when the roads are in a bad shape, the youth bring soil to cover up the potholes. So, they make money along the road as they fill the potholes.

Apart from that, there are no zebra crossings. These are basic things that a road needs whenever there are many people around there, especially schools, hospitals and markets. Zebra crossings are not there. Even if they are there, motorists just pass through. Again, that is a problem with motorists. The road constructors do not consider certain things that are good for purposes of good driving and security of the people along the area, such as the labeling of the roads. Where are the bumps and signs for sharp corners? You must tell us what to do as motorists so that we are able to make use of the road adequately. There are no public lights at night in the rural areas. We need some lights along the lanes to shine so that one is able to drive safely.

These are my observations. I just feel that whether it is the national or county government constructing the road, let us put some common sense in putting up the roads so that there is safety in the way we drive, and for pedestrians and cyclists. Cyclists need their special lane on the road so that they can be safe as they ride. We need certain lanes for wheelchairs and hand carts. Roads are being constructed, but nobody is taking care of safety on those roads.

Last week, I went home and a road was being done around my home area. I am able to access the tarmac road and move to a murrum into my home, but I can only access it from the other sides. I found the contractors had put sand, little stones and cement and blocked my way. They blocked both sides. I was not able to drive in. I was forced to follow a certain route home. I had to beg them to allow me to pass through their home to get to my place. Do the contractors not have some common sense that the road is used by motorists, even though they are repairing it or constructing it properly? I thought there is way in which you put the materials on one side and let the people use the other side so that there is the use of that road all the time, until the road is completed. What was sad was that I was blocked from both sides and was not able to get home until I had to go through a particular home within the area to access my own house. It was difficult.

Those are my observations about road construction – little basic things that improve the security and use of our roads should be considered every time a construction is going on. That is my contribution and I support the Bill.

Thank you.

**The Temporary Deputy Speaker** (Hon. Cheboi): Let us hear Hon. Maina Kamanda who also doubles up as the Chair of the Departmental Committee on Transport, Public Works and Housing.

**Hon. Kamanda:** Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to contribute to this Bill, which was seconded by the Vice-Chair of the Committee. I want to support this Bill. I also thank the Members who have spoken before me and who have supported this Bill. This is a Bill that is going to give all the names of roads in this country. Classification of the roads was done 30 years ago.

I want to allay the fears of Members that some roads in their areas were not classified. You know the issue of classification of roads was brought by the Transition Authority in a hurry, and it is true that some roads were not taken into consideration. But if Members can go through the Bill, they will see the roads are now covered.

The Class “D” that was to go to county governments will remain with the national Government. Some Class “E” roads were to be upgraded to “D” and “B”. This Bill has done that

and classification is not going to end there. This is a continuous process. According to this Bill, even after six months, the CS can still bring an amendment to upgrade a road. This is just a beginning. If Members think there are areas that have been left out, they should work with their local engineers and that can be covered when the next classification is done.

I heard Members talk about the issue of 22 per cent from KeRRA that goes to the constituency and the 10 per cent that is given to the CS. When it goes to the constituency, I am made to understand by the Members that only 22 per cent is handled by the constituency committees and the 10 per cent is not handled by the committee. That is not the case. I want Members to report those engineers that are not involving the constituency committees. Any money that goes to the constituency through KeRRA must be channeled through the constituency committees that are dealing with that matter. So, I want to defray fears from the Members who are complaining about it. It is only that they have not aired their grievances to my Committee and we could have addressed the issue a long time ago. That is not an issue of amendments because we can address it.

I want to tell my brother, Hon. Mbadi, that my Committee oversees roads and while doing that, also interacts with the performance and the intentions of the Government. I want to assure my friends in the Opposition that part of the money for roads in this country has gone to their areas. They can attest to that because all the areas in this country are covered according to the records we get from the CS.

Hon. Mbadi is my witness because he knows very well that we are tackling so many roads in his area. This is a Government that is not discriminating any part of this country. As a Government, you are there to serve all the people. I assure Members that my Committee was voted in by the entire House and the duty of this Committee is to make sure that the whole country gets the right share of roads. We do not work for any group in this Parliament. As a Committee, we work for the entire Parliament and we ensure that the distribution of money is done fairly to all the counties.

This Bill has removed the fears we have been having as to which roads belong to the counties. We have said that it is from Class “E” to “P” and now you should have no fear. I urge the Members who have been insisting that they want Class “E” to remain with them to talk to their engineers. If those roads are upgraded to Class “D”, they will be served by the national Government. Our fear is that county governments are left with a lot of money. In this Bill we are leaving about 15 per cent of the fuel levy fund to county governments and they still have money for roads from the Exchequer.

So, I urge Members not to take many roads to the national Government. If Members take many roads, they will give you a lot of problems. It is better to have few roads, so that you can tell the governors they are the ones who are not working and not you. It is better to have two or three major roads than campaigning to have all the roads that you cannot handle and at the end of the day, you are blamed. So, I urge Members that this is a very important Bill and it is going to empower many people. We had thought of removing KURA, but through various consultations with the Ministries, it was said that KURA plays a major role and we should retain its identity, so that it can perform its work.

Most of the roads in Nairobi are not done by the governor. I do not know what the Governor of Nairobi does with his money because most of the roads in Nairobi are done by KURA. If we do not have KURA, even this city will be bad. Most of the Members have to support Nairobi. At the end of the day, you may claim it is not your place, but you live and stay

here. You own properties here. Nairobi generates 60 per cent of the total collection that you share in the country. So, when roads in Nairobi are good, you are sure we will generate more revenue that we can share and take back to your constituencies.

With those few remarks, I beg to support this important Bill.

**The Temporary Deputy Speaker** (Hon. Cheboi): Okay. Let me give an opportunity to the Member for Bomachoge Chache.

**Hon. Ogari:** Thank you, Hon. Temporary Deputy Speaker for giving me a chance to add my voice to this important Bill. From the outset, I support the Bill. Being a Member of the Committee on Transport, Public Works and Housing, I had a chance to look through it and I only need to add a few comments and items. When you go through the Bill, one of the issues which have been ailing our roads despite the Government's effort to try and develop the infrastructure is maintenance. I will propose an amendment as we go on in the Committee stage about establishing a maintenance unit that is constantly on our roads. Every time we encounter a small pothole, it keeps expanding and after one week, the road is cut off. If somebody was there on time, this could have been remedied and the road could serve us for more days.

This is one area that I will insist on. Most of the developed countries have these units running. In the post-colonial times in Kenya, we had people who were called length men who used to go round the roads on daily or weekly basis inspecting them and doing minor fixes.

Next, I would like to talk about integrity on our roads. Sometimes it is very amusing. We know about the issues of transport in this country and the craziness on our roads and we blame the roads. Roads come first before we encourage the issue of changed settlement patterns. It is clear that when a road is done, it attracts businesses around it, settlement patterns change and residential areas or farm lands are converted to commercial. People settle on one side of the road, build schools and markets on the other side of the road and children cross the road to go to school and road accidents are bound to occur. Then we erect bumps, like my colleague has just said.

Most of my colleagues are requesting that bumps be erected on our roads. It beats logic for people to ask for tarmac roads and bumps at the same time. We can do with murram roads on which one cannot do high speeds. Tarmac roads are meant to increase speed and enhance transportation systems. These are some of the factors that affect our attitudes on the road. We have to find a way of maintaining our roads. Roads should be respected and not abused. Roads were there first and attracted change of settlement patterns.

People need to respect roads because they are public utilities and spaces. In Nairobi, huge supermarkets and large businessmen fence part of our roads and develop it as parking denying the public access to the same road. They even start charging some fee. I am sure you have seen some supermarkets which acquire road reserves, even if it is on a temporary basis, build a parking lot and start earning income from a public property denying the public a chance to use that space. I want that area to be looked into.

I would like to talk about development around our roads especially near junctions and gridlocked areas. Traffic jam builds up rapidly around such places. For instance, along Ngong Road, traffic jam builds up at the Prestige, Nakumatt Junction and Karen. I will propose an amendment to the effect that if you develop an area near a road which substantively alters the flow of traffic that it was designed for, you should contribute to the enhancement or the alterations of the road in such a way that traffic can flow as designed.

With those few remarks, I beg to support this Bill.

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Melly.

**Hon. Melly:** Thank you, Hon. Temporary Deputy Speaker. I rise to support the Bill. This Bill is timely. It operationalises the Fourth Schedule of the Constitution. It reviews, consolidates and rationalises the legal institutional framework of our Constitution. The Roads Bill is critical to our country in the sense that roads are interconnectors. They connect all sectors of our economy. They connect the rural areas, unify our country, consolidate and make sure that our country is well networked.

I want to point out that this Bill has very good clauses especially on classification of roads. The reclassification of roads as mentioned by the Chairman of the Departmental Committee on Transport, Public Works and Housing was done about 30 or 40 years ago so that roads that were seen by then as insignificant are now contributing to our economy. For instance, the Timboroa-Songor-Chemelil Road was seen as only serving a rural area and small-scale farmers, but as I speak, that road is serving the economy of those areas which have a lot of sugarcane and other businesses. There was need to reclassify and make it a Class “C” Road. I want to congratulate the Roads Board for what they have done. The Sotik-Ainamoi-Kipkelion-Tinderet-Eldoret-Turkana Road has been ignored. With the reclassification which makes it a major trunk road connecting the North and the South Rift, you will realise that the economies of those regions will grow. By reclassifying these roads, county governments will now ensure that they work on roads that are meant for them. County governments have a lot of money from the roads levy and the Exchequer. If the money is well-managed, they can do more roads than what can be done by the national Government.

The establishment of the two major Authorities, namely, KeNHA and KeNSRA is very important. Currently, we have three major roads Authorities, namely, KeNHA, KURA and KeRRA. The establishment of these two Authorities will promote efficiency and ensure that roads fall in either the two sub-sectors, namely, KeNHA and KeNSRA. Roads in the rural areas will be well-handled by county governments.

This Bill outlines the criteria for appointment to senior positions especially the positions of the Director-General (DG). It further gives the qualification of the officers who will hold those positions. In so doing, it will ensure that officers appointed to the position of DG and senior officers are qualified and understand what pertains to their positions because qualification is a necessity in management. Unqualified officers impact on performance.

*[The Temporary Deputy Speaker  
(Hon. Cheboi) left the Chair]*

*[The Temporary Deputy Speaker  
(Hon. (Ms.) Mbalu) took the Chair]*

Lastly, the Bill outlines financial matters especially how funds can be sourced for the road sub-sector. In this financial year, the road sub-sector has taken the largest chunk of our Budget. If the roads sub-sector is well-managed and apportioned resources utilised well, it will impact on other sectors of our economy such as education and energy sectors. Twenty two per cent of the fuel levy is normally sent to constituencies and managed by the Constituencies Road Committees. That Fund is too little to manage the roads. I would request in a subsequent legislation that we need to raise the fuel levy to ensure that the roads under the constituencies are



well managed. Even the 10 per cent needs to be looked into, so that these roads can be murramed and we can have good drainage. In all fairness, you cannot construct a good road with that amount of money. You will only be constructing one major road. That is why I am saying we need to look into that and ensure that funds are increased, so that we can have better roads. This Bill is timely and very important. I urge my fellow Members to support and pass it so that we can move our country forward.

I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Member representing people of Seme.

**Hon. (Dr.) Nyikal:** Thank you, Hon. Temporary Deputy Speaker, for giving an opportunity to contribute to the Kenya Roads Bill, 2015. I support it because roads are a key component of our development. We cannot do any trade or movement whatsoever without roads. If we can improve our road network, issues of some areas being remote and marginalised will not be there. Opening the East African region in the old colonial days with the so called “lunatic line” made such a big difference that perhaps people who were calling it the lunatic line were lunatics. The previous Coalition Government focused on roads and the impact is there for everybody to see.

I also support this Bill because it aligns the functions of roads with the Fourth Schedule of the Constitution. This is an extremely important issue. It has caused a lot of problems in the area of roads and health. Clauses 3 and 4 of the Bill have taken good care of the need to abide with the Constitution. This is based on the cooperation of county governments and the national Government, which is a major prerequisite for the success of a devolved Government. The involvement of all other stakeholders has been taken care of very well.

I further support this Bill because once we promulgated the Constitution of Kenya, 2010, it was imperative that some of the laws that we had would change. This Bill takes that into consideration. It amends the Kenya Roads Board Act and seeks to repeal the Kenya Roads Act. These are extremely important. Some of the problems we have had in devolution like allocation of funds and perennial contest between county governments and the national Government are basically because of lack of clarity of functions. This Bill has made good attempts to do that in the road sector.

The classification of roads has further enhanced clarity of functions. I like how the classification has been done because there is flexibility. It is not that once the roads are classified, they remain so. If you look at the appropriate clause in the Bill, it gives the CS authority to classify or reclassify a road as appropriate after it is constructed. That is extremely important. Dividing roads through this classification for county and national functions is important.

It may not be the mandate of this Bill, but county governments need to increase the capacity of their departments which deal with roads. We need to look at what has been going on in the construction of roads. There are very big differences in the funds that are used in the construction of roads, particularly between the roads which are constructed by county governments and the ones that are constructed by the national Government. There are transition clauses in this Bill, but an organisation like KeRRA has sufficient capacity. There is need to see how that capacity can be utilised to strengthen the county level in cooperation with Article 189 of the Constitution. It is not possible to have a major organisation within the broader Government without much work and another one working without adequate capacity.

This Bill has developed clear criteria on standards. This is very important and necessary. There are national roads and bridges, standards and oversight in the Bill. Members have indicated here that roads are constructed and within a year or two, they have potholes all over. Drainage is poor and the roads can hardly be used after a short time after construction. Laying the standards clearly is important. I hope these standards will be adhered to. We are aware that checking and maintaining the standards are the functions of the national Government. So, it is important to have adequate cooperation between the national Government and county governments, so that the national Government can impose these standards without appearing as if they are taking over the functions of the county government. I believe there has been a problem there.

When we are improving our infrastructure, particularly roads, we tend to think that the only people who use roads are motorists. There are many other people who use roads. Pedestrians use roads and amongst them, there are people living with disabilities. It is time our roads conform to international standards particularly in relation to persons living with disabilities. I have travelled in other countries and this is the only country where public transport vehicles stop anytime and anywhere. There is no clear indication where there is a bus stop. If we develop these arrangements where we have proper bus stops, it will be important. We should have proper platforms where people living with disabilities can travel safely. I do not know whether Members have ever thought of what happens to people on wheelchairs when they want to move. I worked with Hon. Shaban in the Department of Gender and this is one of the issues we looked at.

There are laws relating to standards that we should have which can support people living with disabilities. There are regulations, but they are not adhered to. We should make sure we have platforms to address the issue of people living with disabilities. Public transport vehicles should be made in such a way that people living with disabilities need not to be carried. It can be done. Those of us who have travelled in other countries know that it can be done. We know that cyclists and motorcyclists are the biggest culprits of fatalities, if not accidents, because there are no provisions within cities for them to use the roads. That is something we should look at.

I support the Bill further because it has put in place structures. It has developed two Authorities, namely, KeNHA and KeNSRA. They will have clear mandate to look at the roads and make sure that standards and processes are adhered to. I hope we will have better roads with the establishment of these Authorities. It is important for the Bill to provide proper financing mechanisms for the Authorities. That is an important point which we need to look at. Acquisition of land when roads are being done has been a very thorny issue. It is looked into in this Bill and it is important.

The CS has been given excess powers particularly in inventory of roads and power over the Authorities. We will look at that when we get to the Committee stage. The responsibilities of county governments have been clearly set out in Part IV of the Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Your time is over. Member for Taveta and the Deputy Leader of the Majority Party.

**Hon. (Dr.) Shaban:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to also add my voice in supporting the Kenya Roads Bill, National Assembly Bill No.26 of 2015.

From the outset, this Bill is long overdue following the promulgation of the new Constitution. With several Authorities in place, we have had a problem because there are some

grey areas which have been causing confusion between the national Government and county governments.

Kenyans in their naughtiness pretend not to see and know and in the process, they commit illegalities and misuse funds simply because of the confusion. Roads cannot be done without engineers. It is important for me to mention that in my earlier contribution to the Engineering Technologists and Technicians Bill, I made a mistake by referring to engineers as *wahasibu* instead of *wahandisi*. I want it to go on record that the Swahili word for engineers is “*wahandisi*”.

I want to look back at the road we have walked from the time of Independence to date. When we made some reforms in the transport sector with all the Authorities created, a lot has been achieved by the Kenya Government. On top of that, this Bill will clear and make the way better for the implementation of the road network in our country. There is no country which advances economically or develops if its road network is wanting. We have been all over the world and we have seen what a good road network can do. Investors can only be interested in a country when they know that roads are passable.

President Kibaki’s Government did a lot in the roads sector, but I believe even the Jubilee Government is doing a lot, more so with the cleaning of the law and implementing most of the projects that had been started by President Kibaki’s Government. We are starting new roads and Taveta is a beneficiary. We have a road which has been done by the Jubilee Government. Apart from that, I know several roads all over the country are being constructed by the Jubilee Government, of course, not mentioning the completion of works on roads which had been started during the Kibaki era.

This Bill clears the naughtiness which has been there. Governors have been taking advantage of that grey area. Roads which were being allocated funds by KeRRA in our rural areas were supposedly being redone by the county governments. Even when they are in a hurry pretending that they are working, in some instances, they have brought down electricity poles. They want to look like they are working yet the national Government through KeRRA had implemented the murraming of roads. They come in with their graders and destroy even what had been done. I have seen this in my county and in other counties. The reclassification of roads is what is going to cure this major disease which had affected us.

As we have done the division of revenue between the national Government and county governments, there is quite some amount of money that goes to county governments which is supposedly allocated to the roads sector yet it does not seem to do what it ought to.

Most of our roads become impassable when it rains. Sometime last year, 27 governors out of 47, went to court. Unfortunately, my governor was one of them. They sought to block the implementation of the road network especially Class “D” and “E” roads. This Bill brings to rest the confusion that was there. There is no country which can talk about development if it has not improved its road network.

At this juncture, I take this opportunity to thank the Jubilee Government for ending the confusion between the national Government and county governments and for coming up with two strong Authorities. The KeNHA is already there, but we intend to add it more work and establish KeNSRA to cater for what the other Authorities have been catering for.

It is not enough to have these big names if we are not going to give them enough money. I am worried about one issue. This is the long time it takes to send money from the Exchequer to the Ministry of Transport and Infrastructure and finally to the Authorities. I hope the national

Government will look into it to see means and ways of making sure that the delays are removed and the grey areas in terms of transfer of funding for implementation of these projects is made as smooth as possible.

This Bill is long overdue. It is now time for us to move on and do our road network and invite investors. Our President has been travelling all over the world to impress upon other people to come and invest in Kenya and entice tourists to visit our country. But it will not be good enough if the road network is not improved. We need a good road network and this will only be possible once we remove all these grey areas. I urge all my colleagues to move with speed and pass this Bill, so that it can be assented into law and we can make sure that work is done promptly.

I am excited by what KeNHA is doing in our country. The reclassification will add them more work or roads, so that they can cover this. My concern is what happens to roads in cities and big towns in this country. They now fall under county governments. How much work can be done through the county governments with the naughtiness we have undergone since the inception of devolution? This is a concern that we need to look into so that we can make the corrections and amendments that are required for us to enhance what is in this Bill and make sure that even urban roads in cities and big towns in our counties are taken care of.

Urban roads in cities and big towns in our counties should not be left to county governments because for sure, nothing will happen to them. That is why we really need the roads.

I beg to support the Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Let us have the Member for Ol Kalou Constituency, Hon. David Kiaraho.

**Hon. Kiaraho:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to this very important Bill.

World over, infrastructural network is very vital for any tangible economic and social development. We have seen this in developed countries. What we see in developed countries has also been witnessed within our local set up. Just to point out a few examples, we have seen what has been happening in the environs of Nairobi in places such as Ruaka and on Mombasa Road as you head to Mavoko with improved infrastructural network. All the developments coming up there have been induced by the improved infrastructural network. If this is translated in our rural set up, the same will happen. I do not expect someone to put a block of flats right in the centre of my constituency because of improved road network. However, with an improved road network within our rural set up, this would definitely translate to growth in other ways. If a farmer down there was tilling a one-acre piece of land and planting potatoes, he may expand to two acres. If he had two or three cows, he may increase to six cows because he or she can transport the produce from the farm.

The management and handling of this sector is very vital, thus the importance of a well-structured framework. The purpose of the Bill is to give effect to the provisions of the Fourth Schedule of the Constitution in relation to the functions of roads. The establishment of the three bodies, namely, KeNHA, KeNSRA and the County Roads Agency (CRA) is a major step in a positive direction. I come from Nyandarua County where agriculture is the mainstay of our economy. I cannot stand here and talk about what we have witnessed in the last few years.

We may be talking about setting up these Authorities thinking that they are going to do great work. There is categorisation of roads into different categories, but that is not enough. If KeNSRA or CRA does not have proper and enough technical human resource, we will achieve

very little. For instance, in my county in 2013/2014, the disbursement of money touched on almost every road, but it was done haphazardly. We lost a lot of money. That is on record and it is known all over. With the classification of various roads, county governments will know the roads which fall under their domain. We will also know the roads that fall under the national Government. It has been witnessed that most governors have been taking advantage of this situation through their MCAs and they get all the money especially with regard to road networks. With proper categorisation of the roads, we will know what belongs to county governments and what belongs to the national Government. If county governments misbehave, the people will manage them from their respective areas.

I support the Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Let us have the Member for Mwingi North, Hon. John Munuve.

**Hon. Mati:** Thank you, Hon. Temporary Deputy Speaker. Let me join the Members in supporting this Bill. Speaking after some of my colleagues reminds me of a book I read on European history about Marie Antoinette, who saw people demonstrating and asked what their problem was. She was told that they wanted bread. She asked why they could not have bread. She said that if there was no bread, then they could have cake. I say this because I listened to Hon. Ombaka as she was talking about zebra crossings and cabs. We do not have those things in Mwingi North. We do not have any road that we can talk about as having potholes. It is very interesting to listen to my colleagues and know the difference and the dichotomy between my constituency, Mwingi North, and other places in the Republic of Kenya.

From the outset, I would like to congratulate His Excellency, Uhuru Muigai Kenyatta, and his Government for having remembered us. I have said it many times in this House that my constituency has 800 metres of tarmac, 53 years after Independence. I am reliably told that by the end of my five-year term, we could see 70 kilometres of road being constructed. This is a very big leap that will see Mwingi North join the rest of the world in terms of development. It is a shame that we have persevered that level of under-development as other parts of the country developed albeit the fact that we have been represented at very high levels of Government. We do not want to fret or cry over the past. The important thing is to positively look forward to what is in store for my people in Mwingi North.

Hon. Temporary Deputy Speaker, this also includes the whole line from your constituency, Kibwezi East, all the way exiting through Tana River. Crossing the two rivers in Ukambani on tarmac will be a big thing. It will extend to Athi River, all the way to Tana River and into Tharaka Nithi. This will be a miracle in terms of economic growth for my region. Our region has the two biggest rivers and we can practice irrigation. With a good transport network, we can get our produce to Mombasa, Nairobi, Meru and build a 24-hour economy. It should not be lost to us that this road, once constructed, will be a major highway to Ethiopia. We have suffered long enough.

The Bill anticipates some responsibility for the county governments. It is a responsibility that I am skeptical about because although every county without exception in the Republic of Kenya spends at least Kshs1 billion on roads maintenance and repair, in my part of the world, I have not seen an inch of murram in my constituency done by my county government. My hope and prayer is that they will pull up their socks or they will be pulled out of those positions. We cannot lose money repeatedly year in, year out, to non-existent roads.

Let me also take this opportunity to thank the Departmental Committee on Transport, Public Works and Housing and Hon. Kamanda for a job well done. Through this Bill, we will be able to differentiate who is working and who is sleeping on the job. Since roads have been well-designated to show which roads are under the county government and which ones are under the national Government, we will make know who is sleeping on the job. Obviously, some places will not have that luxury for a few years because we have no roads to talk about. The fact that we have hope and look forward to better days will set the standards.

We need to be careful about the amount of resources we invest in our road network because it is massive. Unless we have a clear monitoring and evaluation system of performance of contractors, much of this money will go to waste. If we do not supervise the contractors adequately, what will most likely happen is that roads will only last for a year yet the contractor has disappeared with all the millions.

The Government needs to set up a system of monitoring operation and maintenance. We should have people who are responsible for monitoring operation and maintenance of every inch of road that is constructed. It is only after that that we will enjoy these roads without hindrance and problems. We will not have problems like what Hon. Ombaka has talked about. I sincerely look forward to having such problems. I wish I had a road that had potholes or no proper bumps. Ours is a bumpy development process that we have gone through, although there is light at the end of the tunnel.

With those few remarks, I strongly support the Bill. I look forward to a time when my great people of Mwingi North will enjoy their first kilometre of tarmac. To date, we only have 800 metres of tarmac.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Let us have the Member for Gichugu, Hon. Njogu Barua.

**Hon. Barua:** Thank you, Hon. Temporary Deputy Speaker for this opportunity to support this Bill. In my opinion, it is long overdue yet it has very important content that will revolutionalise construction, maintenance and management of road infrastructure in this country in the future.

One of the attributes I am happy about is the assertion that all parts of this nation must be connected to a national trunk road. This is important because what happened after the 2013 elections and with the introduction of county governments is the emergence of some grey areas on what is national or county. In some areas, operations were taken in a way to chase the national Government from the counties. Having this definition and joining all counties and constituencies to national trunk roads is one way of making sure Kenya remains a unitary state.

Secondly, we remember a few counties including mine went to court and argued that money for construction of roads and road works must be devolved to the counties, recently. This was granted by the courts. Before the classification was done, people in those counties had to suffer. Money was held by KeRRA because there was no mechanism of releasing the money for road construction and maintenance. With the classification, it is clear what is to be maintained and constructed by counties and what is to be done by the national Government. This means it will be easy for leaders to be taken to account. Road sections which have been assigned to county governments will have to be publicised to the *wananchi*, so that they as the beneficiaries will have a voice and opportunity to fight from a point of knowledge. It is not going to be business as usual. *Wananchi* are not going to think that being given a road by the county

government is a favour. It is their road to have those roads and the roads should be well maintenance.

Some of the roads under the county governments are the most important feeder roads necessary for peasant farmers to get their crops to the market. I beseech the county governments to take this seriously and maintain our roads. They should stop passing the blame. It is only last week when there was a demonstration about the famous Kutus-Kirinyaga Road through Kithure Road. Some people were agitating that it has taken too long for that road to be tarmacked. This is despite the fact that I had met the people who are concerned and assured them the work was underway. I thank the Jubilee Government and in particular His Excellency the President because the road over which people demonstrated about, after being agitated by some forces within the county, has been awarded for construction. Tarmacking will start very soon.

There are many important issues in terms of roads. This nation is losing a lot of money and time in traffic jams. It is important for this Bill to incorporate and consider how this Government will conduct regular reviews to assess the level of congestion, so that we do not waste a lot of time in traffic jams. For me to be in town by 8.00 a.m. from Kiambu, I have to leave at 5.30 or 5.45 a.m. For those two hours, I will be stuck in traffic. That is a lot of time wasted. There are many cars on the road and there is emission of the greenhouse gases that causes environmental pollution. In effect, it results to global warming which is referred to as a disaster of this and the next century. We should open up our cities. If you go to Thika in the morning, it is more congested than Nairobi. The issue of bypasses is one thing that should be considered by this and future governments as they implement this law once it is assented to.

I am happy two institutions have been created, namely, KeNHA and KeNSRA. This is going to give clear definitions and distinction on who should do what. I support the sentiments expressed by the Deputy Leader of the Majority Party, Hon. Naomi Shaban, that these institutions should be properly funded and facilitated once they are in place. Having institutions and not considering them in the Budget to finance their operations and implementation of projects will make them ineffective.

The KeNSRA will take care of Class “D” roads. These are inter-county roads. It will require cooperation and collaboration with county governments. We need to improve the relationship between county governments and the national Government. It is true the national Government operates within counties. It is also the responsibility of county governments as organs and institutions to give access and the necessary cooperation to institutions of the national Government. What is important for us is not who is doing or paying for what road, but what is important to our constituents is that the roads are well maintained and can serve them. They do not have time to distinguish who is giving them which service. All they demand is service.

As I wind up, the issue of standards should be included in this Bill. As the three Authorities established in this Bill are going on with their work of maintenance and construction of roads, there should be some set standards and a way of enforcing and supervising to ensure that the standards are achieved. If we achieve those standards, we have to fight corruption. Corruption in the roads sector is practised by doing substandard work. In the counties and constituencies, people are given work to murram or gravel roads. They just scatter murram at different points of the road and claim for payment after doing a shoddy job.

For payment to be made on any road, first of all, it must be certified that the contractor has achieved the set standards. If standards are not achieved, the road becomes even more expensive. It is going to be an issue of regular maintenance and corruption year in, year out.

Roads are not partisan issues. They are bipartisan issues. They affect all of us from Jubilee, CORD or other parties and we should be in agreement in terms of roads.

The membership of the Authorities that are being created must reflect the fact of Kenya. We should have representation from all parts of this country. We cannot afford to trivialise issues as important as roads. They are key ingredients of rural and national development. It is important to include everybody when recruiting officers to these bodies. I can see my time is up. I want to support this Bill and ask that gender and people with disability be considered when this is being effected.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Member for Wajir East, Hon. Abass Mohamed.

**Hon. Mohamed Abass:** Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity. I rise to support this Bill. For any country to develop, her road network must be well developed. This is very important. For the last 53 years, there has been a lot of disparity in this country in terms of road development.

My constituency is about 700 kilometres from Nairobi. It takes me 12 to 14 hours to reach there. It is the same distance as Nairobi to Mombasa. Unfortunately, because of the state of the road network, it takes me too long. I get there when I am too tired and the vehicle almost breaking down. When it rains in my constituency, roads become impassable and when there is no rain, they are too dusty for anybody to use them. Through this road classification, I hope to see some light at the end of the tunnel.

Road classification is very important because we will know county and national Government roads and who to hold responsible. Road works have been a corridor of corruption in that every Kenyan wants to become a road contractor. It is lucrative and has super profits. It is a very unfortunate situation because cowboy contractors have been constructing substandard roads. The Government is spending a lot of money and after one or two years, the newly constructed roads need repairs because they are dilapidated and impassable.

It is high time contractors are classified. Every Kenyan can become a contractor. The KeNHA must develop a kind of a system to classify the contractors. We need to have genuine contractors, so that our roads are of a certain standard. Every contractor who says that they can do a road must be qualified and have engineers as part of their workers. Another thing which is very unfortunate is that Kenyans are not sensitive to their surroundings and environment. Guardrails on roads that have just been constructed like the Thika Super Highway are vandalized and street lights are not working. Kenyans have become irresponsible. They vandalise the guardrails for scrap metal just to earn a little money.

Another thing is the fuel levy fund. Giving 22 per cent to KeRRA is not enough. In areas like northern Kenya, there are many undeveloped roads and most of them are not accessible. It is high time we had about 30 to 50 per cent so that we upgrade roads in that area to bitumen standard, so that this country can be at par and every Kenyan can enjoy good roads.

There was a proposal to have, at least, 200 kilometres of tarmacked road in every county. This is not forth coming. I do not know what happened. This Parliament has to enforce this and the Committee on Implementation has to follow up the issue. For the first time, my constituency has 25 kilometres of bitumen road. I must thank the county government for the good work they have done. We need to do more and open up more frontiers.

In terms of resource allocation, some contractors just visit Authorities' offices to get contracts using money. Road construction is not equitably distributed and it is high time we had



specifications on kilometres for every county to enjoy equitable distribution of resources in this country.

With those few remarks, I beg to support the Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Well spoken. Hon. Members, I have enough requests and you will all have time to speak to this very important Bill. Next on my request list is the Member representing the people of Bomet, Hon. Cecilia Ngetich.

**Hon. (Ms.) Ngetich:** Thank you, Hon. Temporary Deputy Speaker, for giving me an opportunity to add my voice to this very important Bill. I rise to support the Kenya Roads Bill, 2015. It basically talks about classification of roads. This is a long overdue exercise, but it is not too late. There is always the right time for everything.

Infrastructure is one of the basic services comparable to those of health, education and water. Now that we know who is supposed to do which roads, it will enhance the idea of accountability. Before this classification, as mentioned by some Members, you would find a road that had been done by KeRRA being redone by the county government. They ended up with very few kilometres being done as opposed to expanding the roads network in the rural area.

As they embark on providing or developing infrastructure, priority needs to be given to inroads that serve very important facilities such as health centres. In Bomet, very many roads are impassable and prospective mothers really suffer. You can imagine an expectant mother in labour pain being transported on a *boda boda*. One can only expect what would happen.

We have also seen roads that serve primary schools being impassable. During the rainy season like what is going on now, streams cut off the roads and the young ones cannot cross the gullies that are created by the flowing water. This classification will enhance service delivery and citizens will hold into account those who are responsible for the particular roads.

I am happy with the Bill particularly Clause 94(2)(e) which talks about quality. It says that regulations will be developed to ensure that those in charge of developing roads will do so in accordance with the national standards. In Bomet, roads which are made are narrower yet there is a standard width of a road. However, unqualified contractors narrow the road such that you cannot have two vehicles moving towards the opposite direction. One will have to stop for the other one to pass. They are poorly done and narrower than expected.

I want to mention one particular road from Kapkwen to Kagawet to Ngocho and to Soliot. I had to cross a very risky manmade bridge on foot and walked another one kilometre to get to an area which would have taken me very few minutes to reach. From the point I alighted, it took me much time to walk one kilometre as opposed to if the road was well made.

Clause 92 has also clearly brought in the idea of private-public partnership and public participation. Public participation will ensure that citizens will value this service. It hurts when you find people, especially the youth, purposively destroying a road. We have seen youth rioters digging out the tarmac. We have seen others uprooting a whole railway line. In fact, if you were to tell them to assist you to uproot it, they would not do it, but during riots, they uproot it. Guardrails are destroyed or stolen. Through public participation and sensitisation, citizens will be made to see the value because there is a purpose of having road signs. There is a purpose of having guardrails. They, therefore, expose motorists and even pedestrians to danger.

The road levy should be used to maintain roads. We have a culture of neglecting roads until they are totally impassable and then we redo them afresh. There is a popular Kiswahili saying that *usipoziba ufa utajenga ukuta*. I do not know why we wait until the very last minute.

The Authorities concerned should use the road levy to repair and maintain roads frequently to avoid doing them afresh.

I am also happy with Clause 92(b) that talks about compensation. Sometimes members of the public are requested to surrender their pieces of land for the purpose of constructing roads to the right width. I emphasise that before the roads are constructed, the owners of the land should be compensated. For example, the second phase of the Sotik to Ndanai Road is from Ndanai to Gorgor. I do not have the full information, but speculations are that the owners of the land used in the second phase have partly been paid while those who were affected by the first phase are still waiting for compensation. It is good for us to have public participation for people to know the rates used, so that they do not say that their big pieces of land were taken away for free. They should not say that they received less while so and so received more. This is simply because of lack of information. The idea of compensation for land used on road construction has been raised over and over again and it needs to be seriously looked into.

I thank the Jubilee Government because of their commitment to construct 10,000 kilometres of roads across the country. In Bomet County, we benefited from that and got one major road that will cut across four constituencies from Daraja Sita, Chebole, Kanusin all the way to Chebuno and Emurua Dikirr. For record purposes, one of the constituencies in Bomet does not have even a metre of tarmac road and I am waiting to see how the people will be excited when they see this particular tarmac road.

Finally, Kenya at 50 years, we should seriously think about bypasses to avoid the serious traffic jams that we experience daily. This is costly in terms of fuel used, time and emissions. This is a very good Bill. For it to succeed, we should ensure that counties and the national Government do their job. We also need to give them resources for them to do that.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Your time is over. Next is the Member for Magarini, Hon. Harrison Kombe. Is he in the House?

**Hon. Kombe:** Asante, Mhe. Naibu Spika wa Muda kwa kunipatia fursa hii nichangie Mswada huu. Mswada huu utaondoa utata ambao upo kwa wakati huu. Hazina ya Kitaifa ya Maendeleo ya Maeneo Bunge (NGCDF) inakumbwa na utata. Kwa upande wangu, nilikuwa nimejipanga niitumie kurekebisha barabara mbaya katika Eneo Bunge langu. Barabara hizo zinachukuliwa kwamba ziko chini ya kaunti. Ili kuzirekebisha, ni lazima barua iandikwe kwa kaunti, upewe idhini ndipo uweze kutumia hela za NGCDF kufanya miradi ambayo imegataliwa. Utata huo utapotea kupitia Mswada huu.

Baada ya haya yote kutendeka, ninaisihi Serikali kuu ifikirie barabara za Eneo Bunge la Magarini. Ni jambo la kusikitisha kwamba barabara ya kutoka Sabaki kuelekea Marafa, Baricho hadi Galana, kule ambako kuna shamba kubwa la ekari milioni moja la unyunyizaji maji, kufikia hivi sasa sehemu nyingine hazipitiki kabisa. Ikiwa ni kutumia ng'ambo ya pili ya mto, pia huo mto wakati mwingine ukifurika kule Galana hakuendeki. Labda watu watumie helikopta ndio wafike maeneo hayo. Kwa hivyo, ni muhimu barabara hii irekebishwe na iinuliwe kiwango chake kufikia daraja la kuwekwa lami.

Pia, wakati wa kufanya kazi hii ni muhimu wahandisi wazingatie viwango vya barabara. Tukichukua mfano wa barabara kutoka Malindi kuelekea Lamu, tulifanyiwa ukora maana haikufikia kiwango cha kuitwa barabara ya lami. Iliendelea mpaka ilipofika katika ngazi ama hatua fulani ikakomea pale na tukadanganywa kwamba tumewekewa lami kumbe kwa Kiingereza barabara hiyo ilikuwa imefikia *road levelling*. Wanakandarasi wakaiachia hapo. Tulipoanza kuitumia haikuchukua hata miezi sita ikaanza kubambuka. Hata hivi

ninavyozungumza, ukipita Marereni kuelekea mbele ni mashimo tupu. Hivi sasa wameanza kutoka Malindi ndivyo wanaanza kuweka lami yenyewe kuelekea ng'ambo ya Lamu.

Barabara kutoka Mjanaheri kuelekea Ngomeni kuna kituo cha kurushia roketi. Ni kituo kinachostahili kuingiza hela nyingi sana hapa nchini lakini kwa sababu kiko chini ya utawala wa Italia, kituo kile kinapatia hela nchi ya Italia badala ya Kenya. Nchi ya Italia inapata shilingi bilioni 75 kwa mwaka kutoka kwa nchi ya Ufaransa kwa kukitumia kituo kile.

Kulingana na marekebisho tuliyoyafanya hapa Bungeni, iwapo kituo hicho kingekuwa kimerudi kwa Serikali, pesa hizo zingeingia hapa nchini na barabara ya Ngomeni pengine ingetengenezwa. Ni matumaini yangu kwamba baada ya Mswada huu kupitishwa, Kamati inayosimamia mipango ya barabara itaweza kuzingatia hayo na kuhakikisha kwamba barabara hiyo inawekwa lami, ama ikizidi ishurutishwe ile kambi ikarekebishe barabara hiyo ya kilomita 11 pekee. Maombi tushafanya.

Si hapo tu. Kuna barabara muhimu ambayo inatoka Kibaoni kuelekea Ramada-Adu-Kamale ambako Gavana wa Kilifi Kaunti anatoka. Ni barabara ambayo iko hali mbaya. Wakati wa mvua kama sasa hufurika maji na haipitiki kabisa. Ni matumaini yangu kwamba tulipitisha Hoja hapa Bungeni kwamba kila mwaka kila eneo Bunge litapata kilomita 20 za lami. Hiyo ingetekelezwa ninafikiri kungekuwa na kila sababu hasa kwa watu wa Magarini wapigie kura Serikali ya Jubilee.

Lakini iwapo hata inchi moja haitapatikana ninatumai itabidi kujipanga. Katika hayo maeneo, hasa wakati mwingi upigaji kura huja wakati wa mvua na huwa ni shida mpaka utumie helikopta ndio maeneo mengine yafikiwe. Ni kwa nini Serikali isiwajibike na tuupitisha Mswada kwamba kila eneo Bunge lipate kilomita 20 ya lami kwa kila mwaka? Kama jambo hili lingefanyika ninafikiri sasa hivi tungekuwa na kilomita 60, na mwaka ujao tungekamilisha hizo zingine. Kila eneo Bunge lingekuwa na kitu cha kujivunia katika Serikali yetu ya Jubilee.

Kwa hakika nina hamu na ningetaka kuendelea, lakini ninaomba nikomee hapo. Ninaunga mkono Mswada huu. Ninatoa nafasi kwa wenzangu wachangie.

Asante, Mhe. Naibu Spika wa Muda.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The next person on the request list is the Member for Nakuru Town East, Hon. David Gikaria.

**Hon. Gikaria:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to support this Bill. This has been stipulated under the Fourth Schedule of our Constitution. It is high time this Bill addressed some of the gray areas that were not properly expounded on in the Fourth Schedule.

This Bill covers about four other Acts: The Kenya Roads Board Act, 1999; the Kenya Roads Act, 2007; and the Public Roads and Roads of Access Act, 1920. You can see these are very old Acts which are not in conformity with the current Constitution. This Bill is timely now that it has been brought before us so that we can address some of those gray areas that need to be addressed.

Part II of the Bill talks about development of standards. This is important for roads. We have had many problems in the past. Recently, we visited Eldoret on other issues, but we had an opportunity to talk to the Governor of Uasin Gishu, Hon. Mandago. He said that we need to pass this Bill, and particularly address the road designers. You will find that money has been set aside to put up a road to tarmac level and yet they have left space of up to around 30 metres. What our designers normally do is to place one way in the middle of the road reserve. The Governor was saying our designers now need to be more up to date. If you put up a tarmac road of one lane

right in the middle of the road reserve, tomorrow when you want to do a dual carriageway, you need to undo the road which is right in the middle, or when you need to go to the other side you have to encroach on other people's property. We will be bringing amendments to address the designs.

It is unfortunate that when you do a road you do not leave a wayleave for purposes of other amenities like piping, cabling. This means that if you develop the road after five or 10 years you have to remove all the installation was done and this becomes very expensive. So, it is important that when the designers are designing roads, let them leave a wayleave where other services will be catered for such that in future when you want to develop such road to enhance its standard and useability, then we will not destroy, say, the piping. We need our designers to be more proactive and give us road designs that we will not have to destroy.

Part III on classification is very important. When we talk about classification, yes we want to improve some of the areas that do not have an inch of tarmac, but at the same time some of those areas require towns.

As the Chair of the Departmental Committee on Transport, Public Works and Housing was saying, it is important for us to improve the roads in the urban areas. This is because these are centres where we create a lot of wealth for the country which can be used to develop roads in rural areas.

We will be sharing on how many kilometres are needed in urban areas. If you look at the list of roads that we have from the Ministry, you will find that a constituency like Nakuru East which is an urban place has not been given a kilometre just because we have 80 kilometres. This is the case and yet it is a hub of economic activities which create a lot of wealth for Nakuru County and the country in general. So, when we want to improve roads it should be considered not by virtue that it has already developed but to enhance that. Otherwise, if we kill these urban areas, in future, we might not have that money to develop rural areas. So, the Ministry should consider urban areas. I am of the view that the Bill, as it is, wants to kill KURA which is specifically for urban areas.

I thank the Chairman when he said that they have reconsidered not to kill KURA and retain it as it is so that we can continue. If KURA was to go then most of the urban roads will be in very bad conditions. The KeRRA handles rural roads and it is overwhelmed by the work it has such that it might not be able to handle urban roads. So, it is important, as the Chair, said that we retain the KURA, which will take into consideration the urban roads.

We have been pushing KeNHA to put up some bumps in black spots and it took two years to get two bumps on a highway. We will be wrong if we leave the work which was being done by KURA to KeNHA or KeRRA.

Regarding Part VI on finances, it is important for this country, particularly now that we are doing the budgets to consider infrastructure. Under the Jubilee Manifesto, it was the third main agenda and it is important that we consider allocating it enough money. This is because this country will grow economically with proper roads and proper infrastructure. I just want to tell the earlier speakers that the Committee on Implementation should look into the 20-kilometre tarmac road per constituency Motion which was passed. That Motion was brought by the Member for Kinangop. The Committee on Implementation followed it up and we were told that there is the Annuity Programme and the 20-kilometre issue was shelved.

It is important because those are records which were placed before the reports were tabled. Recommendations were given by the Ministry and they requested to be allocated

Kshs102 billion to be able to attain it, but not to the equivalent of the 20-kilometre per constituency. Already there is a report to that effect which was tabled by the Committee on Implementation.

So, it is important for us to think about finances and be able to allocate enough money in our budgets. It is unfortunate that in the Committee on Implementation we were discussing about 20 kilometers per constituency which translated to about 5,000 kilometres in a financial year which had not been done in the past 50 years. It is important as we bring Motions to Parliament, we think whether we have enough money to do that. We need to check the powers of these authorities and the limitations that are supposed to be there. This is because they cannot have powers to bring down trees. The designer should tell us where to plant trees on our roads so that after 30 years when we have a beautiful highway and we want to improve on the road again, we are not told to cut them down.

These are some of the amendments which we will propose so that we do not destroy our environment. Time is over. We had some few issues but we will get another opportunity to bring some amendments in the Committee of the whole House.

I beg to support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The next on my request list is the Member for West Pokot, Hon. Regina Nyeris.

**Hon. (Ms.) Changorok:** Mheshimiwa Naibu Spika wa Muda, ningependa kukushukuru kwa kunipatia nafasi hii ili niungane na wenzangu kuunga mkono Mswada huu wa barabara. Barabara ni muhimu katika nchi yetu ya Kenya. Maisha ya mwanadamu yanaenda pamoja na barabara. Ninasema hivyo kwa sababu pasipokuwa na barabara nzuri hata ugonjwa ukitokea watu wengi huangamia.

Ninaposema hivi asilimia kubwa ya barabara katika nchi hii ziko katika hali mbaya. Tunapoangalia sehemu nyingi katika Kenya, tunaona kwamba watu wengi hutatizika na hata vyakula kuharibika wakati wa mvua kwa sababu ya barabara mbaya. Unakumbuka kwamba mara nyingine mitihani inachukua muda na inakosa kufanywa siku ile imepangwa kwa sababu ya kutokuwa na barabara nzuri katika sehemu ile.

Kuna barabara nyingi huko Pokot lakini ni barabara moja tu ambayo iliwekwa lami kitambo. Hii barabara inachukua sehemu kubwa ya hiyo nchi. Barabara ya Kitale hadi Lodwar, imeharibika sana. Katika Chesegon, wale ambao wamepewa kazi ya kujenga barabara, hawafanyi kazi vile inavyotakikana. Ninataka niseme kwa ukali kidogo kwa sababu barabara hii ambayo imepewa kandarasi juzi ni muhimu. Inaunganisha Kaunti za Pokot, Turkana na Marakwet. Hii barabara inachukua vyakula vingi kutoka Marakwet na Pokot, na hata wananchi kutoka Turkana hutumia barabara hii.

Tumesikia kwamba kuna wale ambao wamepewa kandarasi ilhali miezi mingi imepita na kazi haijaanza. Tukiangalia mambo ya daraja, tunakuta kwamba watu wanafariki ng'ambo nyingine ya mto kwa sababu ya kutokuwa na daraja.

Akina mama wengi wamepoteza maisha yao wakati wanajifungua kwa sababu ya barabara mbovu na hawawezi kufikishwa hospitalini. Miezi miwili iliyopita, tulipoteza mwalimu wa Shule ya Msingi ya Lomut kwa sababu hawangeweza kumvukisha mto kwa sababu mvua ilinyesha. Kulikuwa na gari upande huo mwingine wa mto lakini mwalimu alifariki kwa sababu gari halingepita. Ningependa kuungana na wenzangu kwamba ni sharti Serikali itilie mkazo barabara ambazo inasimamia na kuzitengeneza. Ningependa kupongeza Kaunti ya Pokot kwa sababu wametengeneza barabara za mashinani. Jambo hili limesaidia kuimarika kwa usalama wa

eneo hilo na hivi sasa, tuna usalama baina ya Turkana na Pokot. Ninaamini tutapata barabara nyingi zaidi.

Ningependa kuzungumzia juu ya wale ambao wanapewa kandarasi. Kazi nyingi zinarudiwa kwa sababu wale ambao wanapewa kandarasi hawafanyi kazi nzuri. Tunaporudia ile kazi tunatumia pesa za Serikali. Inafaa wale ambao wamepata kandarasi watengeneze hizo barabara kwa njia ambayo itafanya barabara zidumu kwa muda. Barabara nyingi hutengenezwa kiholela na mvua inaponyesha, zinaharibika na pesa za nchi zinatumiwa kuzirekebisha.

Serikali ya Jubilee imejaribu na ninatumai tutaendelea kufanya kazi nzuri zaidi kuliko ilivyo sasa. Kule Pokot, tumeahidiwa kutengenezwa barabara tatu na ninaamini kuwa zitatengenezwa kwa muda mfupi ili zisaidia wananchi kusafirisha vyakula vyao.

Katika eneo la Pokot Kusini, kuna vyakula vingi haswa maziwa. Maziwa na matunda huharibika kwa urahisi. Barabara inapoharibika na magari yanapokwama, vyakula vyote vinaharibika na jambo hili husababisha hasara na uchumi kuharibika. Wananchi wanaumia kwa sababu wanategemea mapato kusomesha watoto wao. Barabara ni maisha ya wananchi na wasipotengenezwa barabara, nchi haiwezi kusonga mbele. Wananchi hawawezi kufanya biashara kama barabara ni mbaya.

Mhe. Naibu Spika wa Muda, ninaunga mkono Mswada huu.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Let us have the Member for Nambale, Hon. Sakwa Bunyasi.

**Hon. Bunyasi:** Thank you, Hon. Temporary Deputy Speaker. I rise to contribute to this important Bill on the reclassification and new governance structure in the roads sector. Many of my colleagues who have spoken before me have given thanks to the Government of the day for constructing roads in their areas.

My first comment on this is that the totality of development in Kenya is important for the growth of this economy and employment of our people. If you go to Mandera County, you will find people from Busia County working there. If you go to Busia County, you will find people from Coast and Central Kenya working there. This means that wherever growth occurs in this economy, it attracts people from all over the country. It is for the benefit of this country to put up infrastructure in any area which will spur economic growth. These areas are not necessarily near the capital, and roads and regions that were identified during the colonial days. There are many new centres that will grow. In the classification of roads, I like the prominence given to link roads to major trading centres including border areas. That is a good thing.

The issue of quality has been canvassed. A lot of money is wasted when contractors do not deliver the quality that is expected. This is taxpayers' money and not Government money. That is the best way to look at it. It is the poor taxpayers who as they buy paraffin, sugar or as their corporation gets taxed, finances this. Those taxes have been put in place but there is no mention of how we will handle rogue contractors. It is very common, and all of us know that infrastructural projects are popular for the opportunities they provide to those who manage the process. It is also a quick way of making money. Rather than setting up a business, if you manage procurement of large contracts, you can acquire the same income flows compared to those who have worked for years to wait for such flows to come from their corporations. Governance must be looked at seriously if we want to move forward.

I am not happy that some roads in my constituency and that part of the country have not been mentioned. For instance, the old Class C32 that used to run from Miyanga to Kimaiti, Malakisi and end up at the border has not been mentioned. The Class "D" Road from Butula that

would connect Nambale-Amukura-Malaba, linking up the interior areas from Siaya-Busia-Malaba has also not been mentioned. It must have been relegated in class and I have to see the full classification. We know that allocation of resources is going to be skewed towards roads that have the highest numbers from Class “A” down to Class “B”. Classes “E”, “F”, and “G” will not get as much allocation as the others would. There is going to be an inbuilt bias. If I look at the classification that has been done and the regions mentioned, I do not seem to see that there is consciousness that growth can come from any part of Kenya and contribute to employment growth for all Kenyans irrespective of where it is located as long as there are opportunities. To assume that tarmac roads should be in areas classified under the old White Highlands is a mistake and backward thinking. We should look at the many opportunities presented now even in dry areas. My worry is that in the initial classification, perhaps influenced by the people who were close to the committees that handled this, favoured areas in and around Nairobi. Many small roads are specifically numbered and named whereas roads that link many people and areas with the huge potential for growth such as those that I have mentioned in my constituency, have been left out.

It is good that there is now clarity between roads for the national Government and the county governments. That is a step forward. However, the co-efficiency of how much you finance per kilometre to achieve the standard that has been defined has to be met. This has happened even in the health sector where the co-efficiency of financing to achieve the required standard is not the one that the Central Government used to provide nor is it the one that now the county governments provide. Do we want to cry for standards and certain outcomes which we cannot finance? I hope we will look at the transfer of resources to counties which will maintain the roads. The bulk of the road, in terms of distance, will go to the counties. The bulk of the roads will be county roads which will have minimal input from any of these national institutions. The funding will be coefficient so that it can achieve the standards which have been set here. It is useless to have rhetoric about the standards we want to achieve. We complain about contractors. However, if you look carefully, the resources allocation would never have met the standard that was meant to be achieved.

Hon. Temporary Deputy Speaker, this is a very major Bill. It will make a difference in the next 10 or 20 years. It will show which people move fast in development, and who do not. It is simply as a result of how people have negotiated around the table without any serious analysis. For example, what economic assumptions on growth have been made across Kenya which lead to classification of roads, which will pick up the resources in the way they have done? We are looking at Vision 2030. This is the Government which talked about double digit growth. In getting there, we need to have looked at how the main infrastructure will lead us there. If we do not do that, then we will not head in the right direction.

I would like to conclude because many of my colleagues are waiting. My friend, Hon. Angwenyi, is requesting me to conclude. I will be conscious of that fact. I know that Kisii County has the same concerns which I have. So, I will give Hon. Angwenyi a chance to emphasise this point. I am waiting for a day when we shall say resources will be allocated on the basis of priorities of development around this country, but not on the basis of whether you are in the Opposition or in the Government. As we have said many times in this House, Members may shift the sides they sit over time but we do not want development to shift because people are entitled to some contribution to development.

Thank you, Hon. Temporary Deputy Speaker. I support the Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The next one on the request list is Hon. Shidiye.

**Hon. Shidiye:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute. I support this Bill. If you look at this Bill, in terms of classification and planning, you will find that it is one of the best Bills that has ever come to this House. However, Kenya Urban Roads Authority (KURA) has been removed. Roads are drivers of development in this country. You cannot talk about agriculture, tourism, education and health without proper roads. They are the driving force in the development of this country.

Since Independence, Kenya has built roads which are substandard. That is unfortunate. The roads which are being constructed do not last long, because the contractors do not put the right input. Roads are repaired in Nairobi every season, but they do not take care of the drainage. There is no proper planning and maintenance. Building a road is one thing and maintaining it is another thing altogether.

I come from northern Kenya. We have a huge region which has been neglected for far too long. This is because no roads have been constructed in northern Kenya for the last 50 years.

Today, I am very happy because the first road between Garissa and Modogashe was launched by the President in my constituency. That is a milestone and it has just started. We have never had a single tarmac road for the last 50 years. When you talk to people about tarmac road, they ask you where it is found. They ask you whether it is found in heaven. This is because they have never imagined that you can have a tarmac road.

Hon. Temporary Deputy Speaker, the standards of the roads that are tarmacked in this country are wanting. You construct a tarmac road today, barely two or three years, it is washed away. You wonder what happens. Believe me, these are the most expensive roads in this region. One kilometre of tarmac road in this country costs between Kshs70 million to Kshs80 million, while in other parts of the world one kilometre of road costs Kshs40 million. If you convert that into US dollars, it will be about US\$400,000. Our roads are very expensive but poorly done. Something must be amiss. Standards are not followed. Why are the standards not followed? The red flag is corruption. This country is surrounded by tenderpreneurs. There are people who are speculators or tenderpreneurs. They bribe their way into the KeNHA, KeRRA and all the big organisations. They end up getting the contracts but at the end of the day the road is not made to the standard required and within a short time the road is washed away and we have nothing.

When it rains in the place I come from, it is a disaster because you cannot move. Whereas other parts of the world people are going to the moon, we are unable to reach the village. While others are settling on the moon, we are unable to reach the village because we have not planned properly, as a country.

Countries like Thailand, Malaysia and South Korea which were at par with Kenya in the 1970s have over 150,000 kilometres of tarmac roads today. If you come to Kenya, as we speak today, even if you include the annuity programme, it does not have 20,000 kilometres of tarmac. It means we are far away behind in developing this country because we are not serious and we are not committed. Everybody is thinking about making quick money and leaving the country high and dry. *Wananchi* are suffering.

We have created a new structure in this Bill; the Kenya National Secondary Roads Authority. When you have very many structures, every time you move from one structure to another, there is little funding. If you are not going to fund the KeNHA and the KeSRA, this Bill will be as dead as it is and will remain in the shelves of cupboards. We have changed from one



structure to another but the funding is less and far apart. This means that, at the end of the day, we employ many people but there are no enough funds to go around and we have few tarmac roads. At the end of the day, agriculture, tourism and all the other sectors in the economy suffer because of poor roads.

The other issue which members have alluded to and needs to be addressed is that of traffic jams. If you go to urban centres like Mombasa and Eldoret - forget about Nairobi - you will find that there are huge traffic jams. Those big cities are dying. A city like Nairobi will not survive in the next 20 or 30 years to come. Lagos had similar problems. One morning you will wake up and you will not enter into a traffic jam but into a parking; you leave your home but cannot move an inch.

I was at the airport today and it took me three hours to reach this town. In the next 10 years, you will require 10 hours to get to town which means that the Central Business District (CBD) will die a natural death. Do you know how the Roman Empire died? It died of decay. This city will die of decay. People will not be able to move or transact business. The town will die because nobody can enter or leave. In Nigeria, when they realised that Lagos was not working, they created Abuja. When Dar es Salaam was gridlocked, they created Dodoma. Similarly, in Egypt, people are moving from Cairo to Alexandria. At that pace, this city will die a natural death.

We need to clear all these roundabouts. Roundabouts are impediments left by the colonialists. In the modern infrastructure, a roundabout is not supposed to exist. A roundabout is only good in an estate not on a highway. Putting a roundabout on a highway is a recipe for disaster. It means that you will not be able to move because you have a gridlock. You will enter into a parking slot and be unable to move.

Time has come for us to think twice in terms of developing this country. We must be innovative. We need an efficient railway line from town to the airport. With that, you will be home and dry. However, if you say that you will move around in the usual way, you will not be able to make it.

Another issue which I want to address is accidents in this country, which this Bill must also address. Accidents in this country do not just happen. When you move around, you hit bumps because you are not informed that there is a bump ahead of you. I still have more to say but I support the Bill.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Let us have the Member for Keiyo North, Hon. James Murgor.

**Hon. Murgor:** Thank you, Hon. Temporary Deputy Speaker for giving me a chance to add my voice to the Kenya Roads Bill. This Bill is long overdue. I can assure you that in the last three years most Members of Parliament have gone through hell because of the absence of a Bill of this nature. While I support this Bill, I would also like to congratulate the Departmental Committee on Transport, Public Works and Housing for bringing it to this House. This is quite good. It deals with classification of roads in this country. I am happy to note that with this Bill, these roads will be assigned to different authorities.

In particular, we shall know the roads that fall under the county governments and those that fall under the national Government. In the last three years, whenever a road has been bad, it has been said to belong to *Mjumbe*. When the road is good - and it is the Member of Parliament who has solicited for funds to construct it - it is said to belong to the county. With this Bill, that will be a thing of the past.

Good roads, apart from easing travelling, improve and enhance the economies of the areas and vice versa. The economy of an area is in jeopardy where the road network is poor. A case in point is in December when there were heavy rains in my area. We had milk coolers in that area but the lorries and tankers which were supposed to transport the milk could not reach the area because the roads were bad. It was a big loss for that community. Similarly, the lower part of my area which is known as Kerio Valley produces a lot of mangoes. As you know, those are perishable things. If they do not reach the market in time, one loses. These problems will be overcome with this Bill coming into place. The number of accidents will reduce if the authorities concerned implement whatever we see or has been promised like good roads. The rampant insecurity in some areas will definitely be a thing of the past if those areas are opened up by roads.

On construction of roads, we see potholes developing on a road by the time a contractor leaves site. We need actual supervision of these contractors. In Kenya, it seems everybody is a contractor. If you ask them whether they have an engineer, they will tell you that they do not. That is why these roads are in bad shape despite spending a lot of money. We need serious supervision by the people concerned. The standards should be met. If a tarmac road is supposed to be six inches in thickness, it should be six and not two inches. I hope these things will be followed.

On the question of townships, municipalities and cities, all our trunk roads pass through major towns. That is why we see jams all over this country. It is high time bypasses were constructed in all major towns to minimise the traffic jams we see in those towns.

Because I can see Hon. Angwenyi really wants to contribute and time is going, I want to echo the sentiments of the Member for Nakuru on the Kenya Urban Roads Authority (KURA). He said we should not disband KURA. If KURA goes, I can assure you the roads in these towns will be in a bad state.

With those few remarks, I support.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members, I have six requests on this very important Bill. They are actually seven. If we do not repeat ourselves, I am sure all of us can speak within the time remaining. I will give a chance to the first three on my request list. They should be ready to make their contribution.

The first is Hon. Ababu Namwamba. The second will be Commissioner, Hon. Jimmy Angwenyi and then *Mheshimiwa* Annah Nyokabi, in that order.

Hon. Ababu Namwamba, are you ready for this?

**Hon. Ababu:** Thank you, Hon. Temporary Deputy Speaker.

I support this Bill. Let me add that the problem in infrastructure or roads in this country has never been the law, policy or regulations. The challenge has always been enforcement of the various regulations and laws that we have. Even as we enact this Bill, one just hopes that this is not going to be yet another layer of legislation that we add to the archive of legislation we have on matters infrastructure but, that this law will see a new impetus, culture and approach in strongly and equivocally enforcing the provisions of this law.

This law is also part of the process of completing the journey of transfer or sharing of responsibilities between the national Government and county governments. We have now made it to the last stage of transferring a number of roads especially the rural access roads to counties.

My big concern even as we do this transfer, is that may this sector not go the route of healthcare. It has literally collapsed in the hands of county governments.

It is very disheartening and it breaks my spirit as a strong believer in devolution because it is the best thing we have given ourselves in this country. The manner in which county governments have handled healthcare, the state of hospitals and dispensaries and the condition in which health workers, doctors and nurses are working in is despicable. County governments must be rebuked in the strongest terms possible for the manner in which they have degraded and downgraded the quality of healthcare in our health institutions across the country.

I want to hope, as we hand the crucial role of access roads to county governments that they are not going to do the same thing. That is why for me the issue of enforcement, standards and regulations becomes critical. We have already seen a scenario where the wastage of resources in counties is worse than what we have previously complained about with the national Government. For instance, you will find a classroom constructed by the CDF at Kshs1million but the same is constructed by county governments at Kshs2 million. That is double the cost of what the CDF is spending on this infrastructure.

We just hope the money we have been receiving through KeRRA for maintenance of roads will not be misused in the manner that other county resources are being misused across the country. For a road that had ordinarily been maintained at budget of about Kshs1.5 billion, let us not be told that the cost for maintenance of that road has suddenly rose to Kshs4 million or Kshs5 million. I anticipate that possibility if what we have witnessed in other sectors is anything to go by.

As we continue devolving, as legislatures, let us not close our eyes to the mess going on in counties in the management of these sectors. Indeed, the greatest risk to devolution today is governors, their conduct and the governments they preside over. Today, if you go to many parts of this country people will tell you that it is better the old system than the current one. Services that were better have now deteriorated.

May we pass this law, colleagues with a warning to governors and county governments that we are going to be hawk-eyed. We will monitor and watch very keenly how the resources for the roads that we are devolving will be used. I also hope that the enforcement of this law will help answer concerns in other sectors like road safety. Whereas road safety is not entirely the business of this particular law, the manner in which we are using our roads puts citizens at serious risk. This also has something to do with the way we construct our roads. We have roads in this country that are very narrow that having two cars passing by each other is a risk in itself. In some countries, the way roads are constructed and managed is far much better. We can learn from such experiences. You do not have to go to the United States of America (USA), the United Kingdom (UK) or China. You can take a ride to Kigali in Rwanda. Tiny Rwanda has raised the bar in very many aspects. Among the aspects that this country has a lot to learn from Rwanda is the manner in which they are constructing their roads and how they are managing and using them. The state of environmental management is good. You go to Kigali and you actually feel you are off the continent of Africa because of how that small beautiful city that I love very much looks like. Of course, there are many other beautiful things in Rwanda other than the roads.

I, therefore, support this Bill. My insistence is that let us enforce it effectively. I want to conclude with an encouragement to the Government. The Jubilee Government has attempted to put in place some innovative measures to expand the distance of tarmacked roads. We want to see a lot of these measures being implemented fully. For instance, the annuity programme and

the low volume programme are fantastic programmes but these must go beyond merely measures that we talk about. Let it be done. I hope we will achieve the number of kilometres that we have targeted to conclude by the end of the first term of this Government because opening up this country is taking this country to the next level in terms of prosperity, commerce and general wellbeing of our people.

I support.

**The Temporary Deputy Speaker** (Hon. Cheboi): Hon. Jimmy Angwenyi.

**Hon. Angwenyi:** Thank you, Hon. Temporary Deputy Speaker, for giving me a chance to contribute on this important Bill. I rise to support this Bill on four grounds.

First, a country cannot develop economically unless it has a well-developed infrastructure system. Look at all the countries that have moved from Third World to First World. One similar factor that they have is that they have developed their infrastructure, particularly the road infrastructure, the railway infrastructure and the sea or port infrastructure. If we have to move to the next level, let us have our road system improved by passing this Bill and budgeting adequately to achieve our goal of providing accessible roads in the entire country.

Secondly, I hope that this Bill will set standards on how our roads will be done. For example, in Australia, if a contractor is awarded a road to construct, they are supposed to maintain it. In case a pothole develops within 10 years, that contractor will be required to attend to it. Because they do not want to go back to those roads, they are forced to do a good job. A road takes at least 10 years before it develops any form of disintegration.

Thirdly, let us classify all our roads in the country. That classification should have public participation. A governor should not say: "This is my road." The other day I saw a governor say that we should do away with the Kenya Rural Roads Authority (KeRRA) and the Kenya Urban Roads Authority (KURA) and that all the roads under these authorities be put under them. Those roads belong to Kenyans. If you want to classify a road in my constituency, let the people participate and say whether they want the road to be under the national or county government. As my colleague has just said, healthcare in this country is in shambles. It is dead. It is incumbent upon this Parliament to look at that issue and maybe legislate that all healthcare centres which are Level 3 and above should be under the national Government. Only the primary healthcare facilities should remain under the county governments. That will help this country.

We should not do away the KURA. If we do away with this Authority, we are going to have a problem. We should continue with the KURA together with the KeNHA as well as the KeRRA. That is where we play a part in the development of our infrastructure as Members of Parliament. Let us not destroy ourselves.

Finally, let us have resources for maintenance of roads the way we have been having them in the previous years. Let us ask the Cabinet Secretary concerned to show us how much has been set aside in the Budget for each constituency in this country.

With those few remarks, I support.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Member for Kiambu, Hon. Annah Nyokabi, you have the Floor.

**Hon. (Ms.) Gathecha:** Thank you, Hon. Temporary Deputy Speaker. I rise to support this very important Bill. Infrastructure, especially roads, forms the backbone of the development of a nation. In areas which are inaccessible, people are not able to get their products to markets. For example, in Kiambu County, we literally have no roads. The roads that were constructed in Githunguri were done during Mr. Magugu's time. This is more than 15 years ago. If you go to

Magina area in Lari Constituency, you will be shocked. You will wonder whether you are in Kenya.

This Bill provides the legal and institutional framework for the management of the road network in this country. I wish to commend the Jubilee Government, especially for its initiatives on the road network in the whole country. The even distribution of development in this country is commendable. It is no longer necessary that we must vote for one party in order to get development. This Bill ensures that the ambitious and extremely good development programmes – the 10,000 kilometres Road Annuity Programme that the Government has chosen to implement – are accessible.

The qualification of office holders raises the standards. We cannot have any form of development if we do not have a standard and hold people accountable. It is much easier to hold people accountable if we define who should hold office and what their responsibilities are. The issue in this country is not necessarily lack of laws but lack of enforcement. The powers of the authorities that have been defined make a significant difference.

There are many blame games that go on within counties. Most people want to take credit for national Government projects. A Member of a County Assembly (MCA) will put up a billboard and say that they are the ones who have constructed a road when it is a national Government project. So, this delineation of where the responsibilities lie will now provide clarity in people's minds. If there is any issue that has provided serious problems for many Members of Parliament, it is the issue of defining who is responsible for which road. This will finally clarify who is responsible for a road.

The Bill also attempts to address the issue in terms of transition and consequential amendments to this Bill. I strongly support in light of my colleagues who would like to contribute. I will end my contribution there.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Well done. Let us have the Member for Gilgil, Hon. Samuel Ndiritu followed by Hon. Sammy Mwaita.

**Hon. Ndiritu:** Thank you, Hon. Temporary Deputy Speaker for giving me this opportunity to also voice my support for this Bill. This Bill takes Kenya to the next level in the implementation and management of roads. Roads are very important in our constituencies and Kenya in general. They are the backbone of the economy both at the local level and in big cities like Nairobi. I thank the Jubilee Government for the measures it has put in place in planning for the road sector in Kenya. We know of the Road Annuity Programme whose intention is to do 10,000 kilometers. We know of the low volume roads which is also a noble idea, but we hope they can come to fruition.

Planning by both the previous governments and the current Government has seen Nairobi improve on its infrastructure, especially on roads. In some sections of Nairobi movement is fast and that encourages people to come and invest in our county. As Members of Parliament, we have been overseeing KeRRA and we have serious problems with the amount of money that is availed for routine maintenance.

In my constituency, I have almost 300 kilometers although that has been reduced due to some roads being taken up by the county government. However, the amount is barely Ksh100,000 per kilometer and that is a big challenge. I happen to host a section of one of the busiest roads, that is the A104 Great North Road and the section between Naivasha and Nakuru which is about 60 kilometers. I look at that road today and if a contractor was to start building it,

it would take another three years. Today there is almost a snarl-up on that road. I am worried what will happen. We have not started and we are talking about very heavy traffic today. This section needs planning and those in the road sector should look at it. I know there are plans but the plans have taken too long. Three years from now, that road will come to a standstill. This Bill also introduces the toll roads and I would like the roads in classes “A” and “B” not to be included.

It is important that we teach our people that once a road is done it is our business to maintain it. The Government uses our taxes but we must maintain those roads so that they can be used for a long time. I will talk about the poor quality of roads being done by our contractors. A road was re-constructed between Gilgil and Ol kalou barely two years ago. There are potholes on that road. I am sure Kenyans would not like to pay for a road that has been poorly done and then immediately we spend our money on its maintenance.

I am talking about toll stations. There is a toll station that has been causing snarl-ups which I always see as a lost opportunity for the people of Gilgil. It is right in the middle of somebody’s land. The Government should buy that land. This Bill has talked about the Government entering into partnership either with the county government or other people so that, that toll station can be taken to the right place so that it can provide opportunity for the expansion of Gilgil. I can see there are Members who are getting agitated just like I was feeling. I have other points but I would like to sacrifice them for their sake. I support.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members, I must appreciate the requests we had on this debate. I had already mentioned that next on my request list was Hon. Sammy Mwaita, the Member for Baringo Central followed by Hon. (Ms.) Alice Wahome, the Member for Kandara and finally, Hon. Shaaban Isaack, the Member for Lafey.

Hon. Members, this being a House of rules and procedures, we will still have the same debate in our next sitting.

Hon. Members, the time being 6.30 p.m., this House stands adjourned until Tuesday, 28<sup>th</sup> June, 2016, at 2.30 p.m.

The House rose at 6.30 p.m.