

*Papers laid  
by the Committee  
on Implementation  
on Thursday, Feb  
16, 2012  
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**KENYA NATIONAL ASSEMBLY**

**TENTH PARLIAMENT**

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**COMMITTEE**

**ON**

**IMPLEMENTATION**

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**REPORT OF ACTIVITIES FOR THE YEAR 2011 INCLUDING REPORTS ON FAZA  
ICE PLANT, LAMU & ON RE-OPENING OF PAN AFRICAN PAPER MILLS,  
WEBUYE**

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Clerk's Chambers,  
Parliament Buildings,  
NAIROBI.

February, 2012

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## 1.0 Introduction

Mr. Speaker Sir,

The Committee on Implementation is constituted pursuant to provisions of Standing Order no. 196. Its mandate is: -

To scrutinize the Resolutions of the House (including adopted committee reports), petitions and the undertakings given by the Government on the floor of the House and to examine -

- a. whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and
- b. Whether or not legislation passed by the House has been operationalised and where operationalised, the extent to which such operationalisation has taken place within the minimum time necessary.

The Committee comprises the following Members:

The Hon. Alex Mwiru, M.P. -Chairperson

The Hon. (Dr.) Joyce Laboso, M.P. - Vice- Chairperson

The Hon. Gitobu Imanyara, M.P

The Hon. Elias Mbau, M.P

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During the period in question the Committee endeavoured to fully execute its mandate to ensure that undertakings made in the House were honoured, resolutions implemented, responses to petitions were made and Bills operationalised, to ensure that the House did not act in vain.

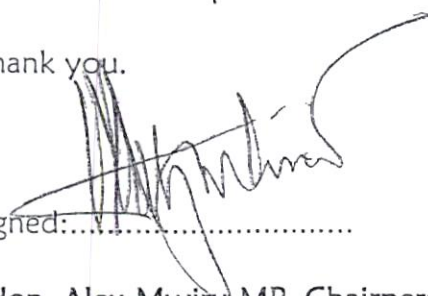
Let me take this opportunity to thank members of the Committee for their dedication in discharging the mandate of the Committee.

**Mr. Speaker Sir,**

Further, I extend my appreciation and that of the Committee to the offices of the Speaker and Clerk of the National Assembly for extending support services to facilitate the work of the Committee and make the production of this report possible.

It is now my singular duty and privilege to present this report to the House and commend its adoption.

Thank you.



Signed:.....

(Hon. Alex Mwiru, MP- Chairperson)

Date: 16.2.2012

## 2.0 Sitings

During the period July-December 2011, the Committee held **thirty six (36)** sittings.

## 3.0 Mode of operation

During the period of review, the Committee examined the following subjects that fall under its purview-

- i. Assurances made by Ministers on the floor of the House in the fourth session; **(see appendix 1)**
- ii. Petitions presented during the fourth session; and, **(see appendix 2)**
- iii. Resolutions made by the House during the fourth session.

**(See appendix 3)**

The Committee compiled a schedule of assurances and submitted them to respective Ministries seeking the implementation status of the commitments. The Committee considered the responses from the Ministries against the undertakings made.

The Committee subsequently scheduled meetings with Ministers to follow-up on the implementation status of the assurances. However, some Ministries did not respond and that failure and appropriate sanctions, as necessary, will be subject of the Committee program in the coming year.

Further, the Committee undertook a field visit to a stalled ice making project in Faza Island, Lamu.

This visit was intended to achieve two main objectives-

- i. To verify/ascertain the information issued by the Minister against the prevailing situation on the ground and to ensure that the Minister honoured the undertaking and,
- ii. To ensure that the assurance was not merely given at the spur of the moment and that the House did not act in vain.

#### **4.0 External Study Tour**

The Committee was not able to undertake any study visit due to budgetary constraints. However, the Committee intends to undertake visits to Nigeria and Uganda, among others in February 2012 to exchange experiences on the exercise of oversight on the executive.

#### **5.0 Activities of the Committee during the period:**

- a) The Committee held meetings with the Ministers for industrialization, Finance and the office of the Attorney General to follow up on the assurance to reopen Pan African Paper Mills, Webuye. Details of these meetings have been discussed in detail herein ( **paragraph 8**) including observations and recommendations because of the economic importance of the factory to the people of Webuye and the country at large;
- b) The Committee undertook a visit to Faza Island to ascertain the status of the Ice Plant arising from an assurance made by the Minister for Fisheries Development on 5<sup>th</sup> August, 2009. Further, the Committee held two meetings with the Ministers for Fisheries Development and Public Works on delays in the completion of the project. **This project is discussed in detail under paragraph 9.**

- c) The Committee held a number of meetings with the Deputy Prime Ministers for Local Government and Finance on the Economic Stimulus programmes (market component). A joint meeting between the Ministries of Local Government, Finance and Public Works had been scheduled but was not held due to non-availability of Ministers for Local Government and Public Works.
- d) The Committee scheduled a joint meeting with the Minister for Water and Irrigation and the Minister for Agriculture on the resolution of the House to establish small holder irrigation schemes in the 210 constituencies in the country. However, the Minister for Agriculture did not attend the meeting and no reason was given for the failure.
- e) The Committee held a meeting with the Minister for Education on the resolution of the House to amend the rules governing nomination of B.O.G members for public schools. The Committee will hold a follow up meeting with the Minister to know the outcome of the engagement between the Minister and the representatives of schools' sponsors and other stakeholders.
- f) The Committee noted that as a result of its follow up, the resolution of the House on training of Ministers and other constitutional office holders had been implemented through an Induction Seminar, National Leadership Retreat and a curriculum on Training and Capacity Building where one of the thematic areas is public finance and procurement.

- g) The Committee noted that action had been taken on the resolution of the House to increase funding for higher education. Further, the Committee noted that action was being taken on the resolution on the enhancement of funding to public primary and secondary schools. These measures included mobilization of resources for infrastructural development and provision of bursary funds to needy and bright students.
- h) The Committee noted that action had been taken on the report of the Committees on Equal Opportunity and Delegated Legislation on the appointment of the KMTC director by regularising the process
- i) The Committee scheduled a meeting with the Minister of State for Provincial Administration and Internal Security to discuss the reports of the Departmental Committee on Administration and National Security on the fact finding visit to Samburu East and Isiolo North and the report on the investigation on the activities of the Artur Brothers. However, the meeting did not take place as the Minister did not attend. A further meeting will be scheduled. On the report on the investigations of the Artur Brothers, the Committee wrote to the Director of Public Prosecutions on measures to implement the report. Initially the Director of Public Prosecutions wrote back informing the Committee that he had not received the report. Consequently, a report was submitted to the DPP for his action on the matter but by the time of compiling this report no communication/ or feedback on the matter had been received. The Committee recommends that the DPP moves expeditiously to implement the report.

- j) The Committee also considered the resolution of the House on measures to protect Cherangany Hills forest from adverse human activities and noted that action had been taken. Interventions by the Ministry include sensitization of the public and leaders on the need to protect the forest, setting up an inter-ministerial Committee to settle those Kenyans that have been removed from the gazetted forest, seeking support from other leaders to visit Marakwet County to sensitize the Community on the need to protect the forest and establishment of a task force to determine the genuine squatters.
- k) The Committee deliberated on the Resolution of the House to establish two water services boards in the North Rift and noted the report from the Ministry of Water and Irrigation indicating the ongoing reforms aimed at aligning the Water Act to the new Constitution. In this regard, a task force has been created to realign the Water Act, 2002, the sector policies and the sector institutions to the new constitution.
- l) The Committee considered the report from the Ministry of Agriculture on the petition to the Government to give a grant of Kshs. 800 million to the Pyrethrum Board of Kenya and noted the measures taken by the Government towards revitalising the Pyrethrum industry. Additional information sought from the Ministry is being awaited on funds raised from the sale of assets and amount of money owed to farmers.



m) The Committee also considered the petition on the Mau Mau war veterans and noted that it had been referred to the Departmental Committee on Justice and Legal Affairs.

#### **6.0 Challenges faced by the Committee in executing its mandate**

- a. Non compliance by the ministries with the provisions of Standing Order no. 183 on the tabling of reports within 60 days after a Resolution has been adopted. This is because the Executive does not have an operational mechanism to communicate, especially the resolutions of the House to the respective Government agencies;
- b. Non compliance by the ministries with the provisions of Standing Order no. 210 (2) on the submission of responses to petitions presented within the stipulated time;
- c. Lack of mechanism to follow-up operationalisation of Bills passed; and
- d. Lack of reliable database and tracking system of Government undertakings/assurances; and
- e. Failure by Ministers to honour invitation to Committee meetings and to respond to the status of implementation of assurances and resolutions.

#### **7.0 Recommendations**

- i. Sensitize Ministers on their obligations on Resolutions adopted by the House, assurances made, petitions presented and Bills passed by the House;
- ii. Revision of the Standing Orders to address the challenges experienced in paragraph 6 (a), (b) and (e) above;

- iii. Development of partnerships with other organizations to assist to track the status of implementation of passed Bills;
- iv. Review of the Committee's Strategic Plan and tracking system of matters under the purview of the Committee; and
- v. Creation of a specific and permanent Secretariat dealing with tracking of all the assurances, resolutions and all other matters that fall under the Committee's terms of reference.

#### 8.0 REPORT ON THE RE-OPENING OF PAN AFRICAN PAPER MILLS

The question of Pan African Paper Mills, Webuye has been before the Committee on Implementation for the last two years following an assurance by the Assistant Minister for Industrialization on 28<sup>th</sup> May, 2009. The undertaking was made in response to a question by private notice filed by the Member for Webuye (Hon. Alfred Sambu) regarding the re-opening of the paper mill. The question read as follows:

“(a) Could the Minister table the findings and recommendations of the task force constituted by the Government to investigate the closing down of Pan African Paper Mills in Webuye?

(b) When will the employees who were in employment at the time of closure, and who were not compensated, receive their compensation?

(c) Could the Minister confirm that the factory will re-open on 1<sup>st</sup> June, 2009 as promised by the Government?”

In his reply, the Assistant Minister for Industrialization (Hon. Nderitu Muriithi) confirmed that the Government appointed a technical and financial evaluation

task force on 2<sup>nd</sup> April, 2009 to undertake an urgent evaluation of Pan African Paper Mills, East Africa Ltd to establish the viability of the company. The report by the task force noted that the company was technically and financially viable subject to the restructuring of debts owed by the firm. The Assistant Minister also informed the House that the concerns of all former employees of the company including those laid off by the receivers would be addressed when the discussions which were on-going at the time were concluded. He further confirmed that the factory was initially scheduled to re-open around 1<sup>st</sup> June, 2009, but due to unforeseen technicalities; the re-opening was rescheduled to take place later in the same month. He assured the House that the company would re-open at the end of June, 2009. The assurance was recorded as follows in the *Hansard*:

....“secondly, I could commit myself to re-opening the factory on 21<sup>st</sup> June,2009 but I know this process has certain issues that may force us not to re-open it on that date. I wish the Hon. Member could accept the last week of June as the firm target that we have given the teams that are working there, to deliver a working factory at Webuye.”

However, when the factory failed to re-open as promised, the member for Webuye sought a ministerial statement on 4<sup>th</sup> August,2009 seeking a firm work-plan indicating the exact date<sup>l</sup> of re-opening the factory. The matter was again raised in the House by the same member on 13<sup>th</sup> August, 2009, who enquired from the Chair on when the statement would be issued.

Eventually, the Minister for Industrialization issued a statement regarding the state of Pan African Paper Mills on 19<sup>th</sup> August, 2009.

In the statement, the Minister informed the House as follows:

- a) Pan African Paper Mills (PPM) was established in 1967 with majority shareholding of 54% by Opil Group of India whereas the Government and other investors like IFC were minority shareholders;
- b) The company accumulated huge debts over the years which it was unable to service culminating into its abrupt closure on 30<sup>th</sup> January, 2009 due to power disconnection arising from non-payment of bills to KPLC;
- c) The management which was also the majority shareholder absconded to India in March, 2009 without the knowledge of the Government;
- d) The company's performance prior to the closure had deteriorated which was attributed to failing plants, inadequate wood supplies, high cost of fuel and stiff competition from imported cheap paper products;
- e) The above factors resulted in the formation of a task-force which was working with the management of PPM on the implementation of turn-around strategy;
- f) There appeared to be something wrong with the management structure of the company and there could be a criminal element and it would be necessary to conduct forensic audit before re-opening the company;
- g) The task-force appointed by the Government was negotiating with lenders and key suppliers on the revival of the plant under a joint receivership as directed by the Cabinet;

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task force on 2<sup>nd</sup> April, 2009 to undertake an urgent evaluation of Pan African Paper Mills, East Africa Ltd to establish the viability of the company. The report by the task force noted that the company was technically and financially viable subject to the restructuring of debts owed by the firm. The Assistant Minister also informed the House that the concerns of all former employees of the company including those laid off by the receivers would be addressed when the discussions which were on-going at the time were concluded. He further confirmed that the factory was initially scheduled to re-open around 1<sup>st</sup> June, 2009, but due to unforeseen technicalities; the re-opening was rescheduled to take place later in the same month. He assured the House that the company would re-open at the end of June, 2009. The assurance was recorded as follows in the *Hansard*:

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- e) The above factors resulted in the formation of a task-force which was working with the management of PPM on the implementation of turn-around strategy;
- f) There appeared to be something wrong with the management structure of the company and there could be a criminal element and it would be necessary to conduct forensic audit before re-opening the company;
- g) The task-force appointed by the Government was negotiating with lenders and key suppliers on the revival of the plant under a joint receivership as directed by the Cabinet;



- h) The International Finance Corporation (IFC) and Proparco agreed to write off their loan amounting to Ksh. 3.3 billion reducing indebtedness to Ksh. 5.2 billion;
- i) The Treasury had set aside Ksh. 500 million as part of the revival package for the plant; and,
- j) A Cabinet memo had been prepared seeking further direction on the matter and a response was being awaited.

The matter was subsequently referred to the Committee on Implementation by the House on 19<sup>th</sup> August, 2009 to investigate the circumstances surrounding the closure of Pan African Paper Mills and especially inquire into the factors against its re-opening as earlier promised by the Assistant Minister.

The committee held meetings with the Minister and Assistant Minister for Industrialization who were accompanied by officials from the Ministry. The committee also invited the Solicitor General, the Permanent Secretary, Treasury and the Permanent Secretary, Ministry of Forestry and Wildlife. The Ministers and officials provided invaluable information and their insight on the matter in question assisted the committee in understanding the history of Pan African Paper Mills, its operations and circumstances surrounding its closure.

Arising from the foregoing inquiry, the committee prepared a report which contained the following notes and observations.

- a) The closure of Pan African Paper Mills has adversely affected the economy of the country and particularly that of Webuye town and its environs;

- b) The question of Pan African Paper Mills involves many parties which includes majority and minority shareholders, long-term and short-term lenders, suppliers and employees, which makes revival efforts very complex;
- c) The Government has demonstrated intention and further taken tangible measures aimed at the revival of the company; and,
- d) The Assistant Minister made a firm commitment to the House in good faith that PPM would be re-opened at the end of June, 2009 but Government efforts have been hampered by other parties with a stake in the plant.

After examining the above factors, the Committee recommended that the Government should continue and even enhance its efforts to ensure that the Pan African Paper Mills re-opened as soon as practically possible to safeguard the national interest. As mentioned earlier, this report was adopted by the House on 18<sup>th</sup> November, 2009.

In addition, the Committee undertook to follow-up the assurance made to the House to its logical conclusion as well as the implementation of the resolution on the matter.

### **8.1 Recent measures to revive the Pan African Paper Mills**

The Ministry of Industrialization was assigned by the Government the task of reviving the factory. The Ministry constituted a task Force which prepared a cabinet Memorandum which was jointly signed by the Ministers for

Industrialization, Finance, Forestry and Wildlife. The cabinet Memo was approved on 28<sup>th</sup> April, 2010 with the following directives-

- 1) That the short term lenders proceed to sell their stocks on which their debt is secured, which process they noted to have already began;
- 2) That the Government negotiates with the long term lenders to place PPM under a protective receivership under which production could begin;
- 3) That in the event negotiations for a protective Receivership were not successful, the Government to consider working with the long term lenders to facilitate an outright sale of PPM.

The Ministry of Industrialization undertook the following measures to implement the cabinet Memo-

- 1) Wrote to short term lenders to sell their assets which include manufactured paper, waste paper and other movable assets of PPM;
- 2) Through the task Force started negotiations with long term lenders on the purchase of PPM;
- 3) The State Law office commenced preparation of relevant documents for incorporation of Webuye Paper Mills Ltd. which could be used as a special purpose vehicle to purchase PPM.

The Committee was informed that the short term lenders failed to sell their assets while the long term lenders authorized the Government to run the mills to prevent wastage and deterioration of their assets. In addition, the Committee was informed that the negotiations for the sale of PPM were adversely affected by the absence of one of the long term lenders to reach an agreement on this issue,

Deutsche Bank, making it difficult for lenders to reach an agreement on the matter.

## **8.2 Current status of Pan African Paper Mills**

The Ministry has made considerable progress in preparation, re-opening and full operation of the PPM and trial runs undertaken have resulted in production of an estimated 5,000 tonnes of paper through the three machines lines that have been rehabilitated. The Ministry has been facilitating the paper mill by procuring all raw materials, all operational materials, some of the equipment and minor maintenance works. About 1024 workers are currently working at the plant and the number is expected to increase when the fourth machine is rehabilitated. The Ministry confirmed that so far, the Government has spent around Ksh. 1.6 billion in the revival of PPM.

The Ministry commenced negotiations with the short term lenders who were willing to sell their stake in PPM to the Government for a settlement of Ksh. 400 million. In turn, the Government would take over the receivership and lenders would withdraw cases filed against the Government. A settlement agreement to be executed by the Government and the lenders was prepared to put this into effect but it has not been executed.

The Ministry has identified the following challenges in the revival efforts-

- 1) The absence of an operational account has frustrated the running of the plant;
- 2) The lengthy procurement procedures under the public procurement and disposal Act hamper the operations;

- 3) Most suppliers are unwilling to deal with PPM on credit basis given that it is under receivership and the attendant uncertainty on its legal status;
- 4) Negotiations with short term lenders have not been concluded. The opinion of the State Law Office is that the settlement agreements should not be executed with the recommendation that the Government should proceed with negotiations with long term lenders to purchase PPM through Webuye paper Mills Ltd. This opinion is based on the need to comply with the cabinet decision of 28<sup>th</sup> April,2010;and
- 5) There are two cases instituted by some short term lenders which have not been determined.

The Committee undertook an inspection visit of the plant on 29<sup>th</sup> April, 2011 where it held a meeting with the District Commissioner, Bungoma East who reiterated the negative impact of the closure of the plant on the community and hence the need to pursue revival efforts. The Committee also met the task Force and witnessed logs being delivered from purchases made from the grant by the Government as well as manufactured paper with an estimated market value of Ksh. 210 million.

In view of these developments and given the current status of the plant, the Committee made the following observations-

1. The Government continues to demonstrate a commitment to the full revival of the PPM through the injection of funds and other actions especially through the task force;

2. It is inconceivable that a mill whose value is estimated at Ksh. 20 billion should be in-operational taking cognizance of the domino effect on the regional and national economy;
3. The negotiations have taken too long which is likely to impact negatively on the revival efforts especially taking into consideration the current position of the plant and the uncertainties regarding its legal status;

### **8.3 Recommendations**

The Committee recommends that the Government institutes structured negotiations with the parties with a stake in the plant to ensure that the question of ownership is addressed and ensure that the plant is fully operational by 30<sup>th</sup> March, 2012. In particular, the Committee strongly recommends that the Cabinet Memo approved on 28<sup>th</sup> April, 2010 be fully implemented as follows:

- a) That the short term lenders proceed to sell their stocks on which their debt is secured, which process the Committee noted has already began;
- b) That the Government negotiates with the long term lenders to place Pan African Paper Mills, Webuye under protective receivership on the lines similar to Uchumi Model, under which production could begin;
- c) That in the event negotiations for a protective Receivership were not successful, the Government to consider working with the long term lenders to facilitate an outright sale of Pan African Paper Mills, Webuye to the proposed Webuye Paper Mills Ltd; and

- d) The Attorney General should commence interpleader proceedings to secure the assets of the Company during the period of transition.

#### 9.0 REPORT ON THE COMPLETION OF THE FAZA ICE PLANT, LAMU

The issue of Faza ice plant in Lamu emanated from an ordinary question by Hon. Shakila Abdalla on 5<sup>th</sup> August 2009. The question read as follows:

- (a) Could the Minister indicate what became of the cold house or ice plant project in Faza (Lamu) which was to commence operations in December, 2008 and clarify the stage of the tendering process?
- (b) What plans does the Minister have to provide an alternative source of power for the cold house, considering that the generator at the plant cannot provide sufficient power?

In response, the Minister for Fisheries Development stated as follows-

“The retendering for the mechanical bit was done earlier this year. We have factored in to ensure that before the close of this financial year, this component which the earlier contractor had supplied sub-standard equipment is going to be finished. Actually, it is going to be finished before December.....That is why I am saying that procuring new equipment takes a bit of time. I have been reassured that after this retendering, within the next six months, it will be completed. The money is already there.”

It was with the above assurance that the Committee undertook an inspection visit to Faza Island in Lamu on 12<sup>th</sup> August, 2011 to verify whether the project had been completed as promised to the House by the Minister.

## 9.1 Inspection visit to Faza Ice Plant, Lamu

The Committee visited the Faza Ice Plant on 12<sup>th</sup> August, 2011 and held meetings with the Acting District Commissioner, Lamu East, Chairman of the fishing community and officials from the Ministry of Fisheries Development led by the Director of Fisheries.

The Committee was informed as follows-

1. The designs for the proposed project were prepared in 2007 by the Ministry of Public Works and it was to incorporate a fish/ice landing area with a sink and worktop, a fish cold room and a refrigeration plant room, an ice flake plant and ice flake storage room, two offices, a waiting lobby and water closet/shower rooms.
2. The project was advertised on 8<sup>th</sup> May, 2007 and after completion of the tender evaluation and adjudication, the works were awarded as follows-
  - a. Civil Works- Ms Banu Asad Contractors for a sum of Ksh. 6,149,447.70
  - b. Electrical works- Ms Wassy Electrical Services for a sum of 2,528,216.30
  - c. Mechanical works- Ms Saary General Suppliers for a sum of Ksh. 9,108,598.00 bringing the total to Ksh. 17,786,262.00;
3. The project was to be built at Kizingitini Island but was later moved to Faza Island due to a land dispute over the proposed site;
4. The electrical works were certified complete and the civil works were 85% complete while the cold room installations including ice flake and ice block making machines are yet to be installed;



5. The mechanical sub-contractor, Ms Saary General Suppliers supplied ice flake and ice block making equipment that were rejected by the Provincial Electrical/Mechanical Engineer late 2008 and the contractor ordered to remove them from site. The contractor requested for a 70% price increase in order for them to supply the ice plant as specified which was not granted;
6. The District Fisheries Officer, Lamu was advised in March 2010 by the Ministry of Public Works that the outstanding builders and mechanical works would require Ksh. 14.5 million to be completed. The works were retendered on 20<sup>th</sup> January,2011 and upon tender opening and evaluation, it was recommended that the works be awarded to Ms Southern Engineering Co. Ltd at a tender price of Ksh. 29,116,180;
7. The Permanent Secretary, Fisheries Development later suspended any further expenditure until the Public Accounts Committee visits the project site and the two bills of quantities provided by the Ministry of Public Works is clarified.

Arising from the visit, the Committee made the following notes and observations:-

- 1) Electrical works were not 100% complete as indicated since the ice plant machine had not been installed;
- 2) The walls of the building had not been painted, the roof was leaking and some doors were missing. In addition, the generator room was not properly secured;
- 3) The stalling of the project has negatively affected the community residing in Faza and adjoining areas which largely depend on fishing activities and who are keen to see the project completed as a priority;

- 4) Stalling of the project has created disenchantment in the community;
- 5) The biggest loss is lack of benefit to the community and particularly the opportunity cost;
- 6) The Minister misled the House by categorically stating that retendering had been done in 2009 as it was undertaken much later on 20<sup>th</sup> January, 2011.

## **9.2 Ministry of Fisheries Development Intervention**

Consequent to the Committee enquiry and the disparities in the amounts needed to complete the project from the Ministry of Public Works, the Ministry of Fisheries Development constituted a task force to visit the project site and to submit a report and recommendations. The task force recommended that the project be mutually wound up on 'AS IS' basis and further examined the various options available to operationalise the project. It was recommended that the project be scaled down.

The Committee held a further meeting with the Minister for Fisheries Development who promised that the Ministry was going to retender the remaining works. The Minister further assured the Committee that by May 2012, the project will be completed.

## **9.3 Recommendation**

The Committee recommends that the Ministry of Fisheries Development takes immediate measures to ensure that the project is completed and commissioned by May 2012 given the expected benefit and enormous opportunity cost to the

community. These measures include scaling down the scope of works as recommended by the Ministerial task force as follows:

- a) Supply and installation of 2ton/24hr ice block machine which would cost approximately Kshs. 3 million;
- b) Supply and installation of 3Kw refrigeration equipment for the ice cold room;
- c) Installation of the fish cold room of dimensions 8.0x3.8x3.5 m high;
- d) Installation of the ice cold room of dimensions 2.3 x4.4x3.5 m high;
- e) Development of a 10 meter deep water well;
- f) Provision of high level water tanks and associated water booster pumps;
- g) Completion of internal plumbing works;
- h) Completion of internal drainage works and connection sewer;
- i) Associated electro-mechanical works associated with the above installations;
- j) Completion of civil works i.e glazing, doors, shutters, painting and gutters; and
- k) Supervision of the works to completion.

## 10.0 Conclusion

During the period under review, the Committee attained the following achievements-

1. Ministers became conscious that the assurances made in the House as well as resolutions adopted were being followed up by Parliament which created an impetus for implementation; Undertakings on Pan African Paper Mills and the Faza Ice plant project are cases in point where Committee enquiry was used by Ministers as a basis of action;
2. The visit by the Committee to Webuye in early 2011 and to Faza Island in August 2011, created a linkage between the institution of Parliament and the people it represents; The Committee observed that the visits were an assurance to the people that their concerns were being addressed; It was also a very strong signal that arbitrariness and inaction especially in the far flung areas of the country by Government agencies will be exposed and officers made to account;
3. The Committee also provided a forum for Ministers to explain their policies and actions to specific questions and to receive feedback on projects in various constituencies. In essence, the Committee created a linkage between the executive and legislature which has hitherto been missing especially in following up on undertakings made by Ministers and resolutions adopted by the House.

From the foregoing, it is clear that the reintroduction of the Committee after the review of the Standing Orders in December, 2008 has enhanced the oversight role of Parliament through the creation of a specialised Committee on Implementation. The Committee has made major strides in furtherance of its mandate. However, there are several challenges as mentioned earlier which need to be addressed particularly in following up on Treasury Memoranda on the reports of the Public Accounts and Public Investments Committees. The recommendations made in this report (**paragraph 7**) will significantly ameliorate these challenges.

Once again, this is to extend appreciation to members of the Committee for their dedication and commitment in furtherance of their mandate.

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**MINUTES OF THE 33<sup>RD</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON FRIDAY, 29<sup>TH</sup> APRIL, 2011 IN THE BOARDROOM, PAN AFRICAN PAPER MILLS, WEBUYE AT 1.45 P.M.**

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P                    – Chairperson  
Hon. Benjamin Langat, M.P  
Hon. Daniel Muoki, M.P.  
Hon. Peter Gitau, M.P

**ABSENT WITH APOLOGY**

Hon. (Dr.) Joyce Laboso, M.P. – Vice Chairperson  
Hon. Isaac Ruto, M.P  
Hon. Elias Mbau, M.P.  
Hon. Jamleck Kamau, M.P.  
Hon. Gitobu Imanyara, M.P  
Hon. Charles Onyancha, M.P.

**ABSENT**

Hon. Gideon Mbuvi, MP

**IN ATTENDANCE - NATIONAL ASSEMBLY**

Mr. Njenga Ruge                    -        First Clerk Assistant  
Ms. Leah Wanjiru                -        Third Clerk Assistant

**MINISTRY OF INDUSTRIALISATION**

John Munguti                    - Ministry of Industrialisation  
Lincoln Barasa                - Constituency Manager  
Hansel Omondi                - Pan African Paper Mills  
Sylas Tomno                    - District Development Officer  
Lawrence Lelei                - Pan African Paper Mills  
Agibitus Oluoch.              - Pan African Paper Mills  
Jonathan Changoma            - Technical team (Pan African Paper Mills)  
Alex Gatimbu                  -Leader Government Technical team (Pan African Paper Mills)  
Adan G. Harakhe              - DC Bungoma East  
Wilberforce Namwaya        - Documentation  
J.J Lokorito                    - Pan African Paper Mills  
Machoka Bigogo                - Pan African Paper Mills

George Muigua	- Pan African Paper Mills
Philip A. Diro..	- Pan African Paper Mills
Abdi S. Juma	- Pan African Paper Mills

### MIN.NO. 200/2011 : PRELIMINARIES

The proceedings were opened with a word of prayer.

The Chairperson explained that the purpose of the visit by the Committee was to establish the status of implementation of an assurance made in the House by the Minister for Industrialization and a subsequent resolution on the re-opening of the Pan African Paper Mills, Webuye.

### MIN.NO. 201/2011 : CONSIDERATION OF THE STATUS OF REOPENING OF PAN AFRICAN PAPER MILLS, WEBUYE

The Committee was informed as follows:

- The Factory was put under receivership in early 2009 by the short term lenders comprising of KCB ,Ecobank, Bank of Baroda and Barclays bank. At the time of closure, the company had a total liability of kshs. 8 billion. A total of Ksh. 1.3 billion was owed to the short term lenders while the remainder was owed to the long term lenders;
- The reopening of the factory was not possible due to the receivership status and despite the Government injecting Kshs. 1 billion, the company is not able to operate normally;
- The Government appointed a task force to oversee the day to day running of the affairs of the factory and to secure the equipment; It was mandated to negotiate with the lenders on repayment of the debts and that an agreement has been drafted with the short-term lenders which is awaiting signature;
- The short-term lenders did not have an objection in the company continuing to operate even though the Government evicted the Receiver Manager. The Receiver Manager continues to draw proceeds from the factory;
- Due to bureaucracy in procurement process, the mill was experiencing delays in acquiring raw materials;
- The paper mill is viable and when one machine is running fully, 600 people are employed instantly;

- The Government at some point resolved to register another company, Webuye paper Mills to be used as a vehicle to trade. However, the Permanent Secretary (Industrialization) signed the approval but the Permanent Secretary (Treasury) failed to sign. No reason was given for the failure by the Treasury to approve the arrangement; Selling the plant by the Government is not an option as it has no legal right over the plant;
- An amicable settlement with the lenders will allow the plant to operate and enable it to access sales held by paper converters and sell ready stock estimated at Kshs. 210 million.

#### MIN.NO. 202/2011 : TOUR OF THE PLANT

The Committee toured the factory and witnessed logs being delivered from purchases made from the grant by the Government. The raw materials received totaled to 1000 cubic meters of wood per day;

The Committee was also informed that the plant has capacity to produce 9 mega watts of electricity and that it has a monthly turn-over of Ksh. 450 million.

The Chairperson thanked the taskforce for facilitating the visit and providing information which will be useful in discharging its mandate on the matter

#### MIN.NO.203/2011 : ANY OTHER BUSINESS

The Committee issued a press statement briefing the media on the mandate of the committee, the purpose of the visit and general observations on the plant.

#### MIN.NO.204/2011 : ADJOURNMENT

The Chairperson adjourned the sitting at Four O'clock until Saturday, 30<sup>th</sup> April, 2011 at 10.00 am.

SIGNED: HON. ALEX MWIRU, MP

CHAIRPERSON

DATE: 27/7/2011



MINUTES OF THE 40<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON TUESDAY, 31<sup>ST</sup> MAY, 2011 IN COMMISSION ROOM, COUNTY HALL, PARLIAMENT BUILDINGS AT 11.40 A.M

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P. – Vice Chairperson  
Hon. Benjamin Langat, M.P  
Hon. Daniel Muoki, M.P.  
Hon. Charles Onyancha, M.P.  
Hon. Gitobu Imanyara, M.P

ABSENT WITH APOLOGY

Hon. Elias Mbau, M.P.  
Hon. Peter Gitau, M.P  
Hon. Jamleck Kamau, M.P.

ABSENT

Hon. Gideon Mbuvi, MP  
Hon. Isaac Ruto, M.P

OBSERVER

Hon. Alfred Sambu, MP - Area Member of Parliament

IN ATTENDANCE - NATIONAL ASSEMBLY

Ms. Leah Wanjiru -Third Clerk Assistant

MINISTRY OF INDUSTRIALISATION OFFICIALS

Hon. Nderitu Mureithi, M.P - Assistant Minister for Industrialization  
Dr. Eng. Karanja Kibicho, CBS - Permanent Secretary  
Mr. John Munguti - Officer-in charge of Webuye PanAfrican Paper Mill

## MIN.NO. 227/2011 : PRELIMINARIES

The proceedings commenced with a word of prayer. The Chair welcomed the officials of the Ministry of Industrialization to the meeting.

## MIN.NO. 228/2011 : MEETING WITH THE MINISTRY FOR INDUSTRIALISATION

### **On the delayed re-opening of the Webuye Pan African Paper Mill.**

- The Committee was informed that the cause for the delay of the factory had been occasioned by the legal implications that could not allow the Government to move in as originally anticipated;
- The Committee was further informed that the negotiations with the lenders had taken longer than expected and the lenders had put unrealistic conditionalities and preconditions that the Task force felt were unreasonable;
- The Committee was informed that the Ministry is currently in negotiations with the Short Term Lenders (STLs) who are owed Kshs. 1.2 billion by Webuye Pan African Paper Mill;
- The Committee sought to know what the Ministry was doing in order to get off the hook from the Long Term Lenders (LTLs). The Ministry informed the Committee that they intend to engage the LTLs immediately the Settlement Agreement is signed with the Short Term Lenders;
- The Committee further heard that there is an agreement between the Ministry and the short term lenders for the Ministry to settle Kshs. 400million for the receivership to be handed over to the Ministry. The Ministry is expected to come up with the way forward in regard to the appointment of the receiver Manager;
- The Committee was informed that the Ministry will by end of September this year, finalize the discussions with the short term lenders;
- The Committee learnt that the Ministry was due on 7<sup>th</sup> June, 2011 to sign a Settlement agreement drafted by both teams from the Ministry and the short term lenders in order to fast track the full operationalization of the factory;
- The Committee learnt that the Ministry is not able to sell the paper to converters because the cheque is drawn to the short term lenders and therefore had opted to have a strategic registration of a new 'vehicle' for use to trade;

- The Committee further sought to know whether there was any firm commitment by the Ministry to revive the plant to protect the interests of Kenyans. The Committee was informed that the Ministry has revived three machines;
- The Committee wanted to know whether the Ministry was considering pursuing the issue of 'debt purchasing' in order to help settle the debt owed to the short term lenders;
- The Committee sought to know the principal amount owed to the short term lenders and how much has the Government spent so far, in reviving Webuye Pan African Paper Mill;
- The Committee directed the Ministry of Industrialization to present the Minutes that culminated into the drafting of the agreement between the Ministry and the short term lenders;
- The Committee resolved to invite all the stake holders including the short term lenders, the Treasury, the Ministry of Industrialization and the Attorney General to a meeting. The date will be communicated later.

MIN.NO.229 /2011: ADJOURNMENT

There being no other business, the Chairperson adjourned the meeting at twenty minutes past one O'clock until a later date.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 19/7/2011

MINUTES OF THE 41<sup>ST</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON TUESDAY, 5<sup>TH</sup> JULY, 2011 IN COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDINGS AT 11.50 A.M

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Daniel Muoki, M.P.  
Hon. Charles Onyancha, M.P  
Hon. Jamleck Kamau, M.P

ABSENT WITH APOLOGY

Hon. Benjamin Langat, M.P  
Hon. Gitobu Imanyara, M.P  
Hon. Peter Gitau, M.P

ABSENT

Hon. Elias Mbau, M.P  
Hon. Gideon Mbuvi, M.P  
Hon. Isaac Ruto, M.P

OBSERVER

Hon. Alfred Sambu, M.P - Member of Parliament for Webuye

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge -First Clerk Assistant  
Ms. Leah Wanjiru -Third Clerk Assistant

MINISTRY OF INDUSTRIALIZATION OFFICIALS

Hon. Nderitu Mureithi, M.P - Assistant Minister for Industrialization  
Mr. Joseph Kinyua, CBS - Permanent Secretary, Treasury  
Ms. Dorcas Achapa - Deputy Solicitor General  
Mr. Maakhi A. Ogolla - Chief Financial Officer (Ministry of Industrialization)  
Eng. John Mosonik - Industrialization Secretary  
Mr. John Munguti - Officer-in charge of Webuye Pan African Paper Mills

Mr. Joseph M. Kariuki - Principal Economist (Ministry of Finance)  
Mr. Abdallah C. Bii - Legal Officer (Ministry of Industrialization)  
Ms. Cynthia Olotch - State Counsel

#### MIN.NO. 230/2011 : PRELIMINARIES

The proceedings commenced with a word of prayer. The Chair welcomed the officials of the Ministry of Industrialization, Finance and the Attorney General's office to the meeting. The Chair explained the purpose of the meeting, namely, following up the assurance made in the House on the reopening of Pan African Paper Mills, Webuye.

#### MIN.NO. 231/2011 : MEETING WITH THE MINISTRIES OF INDUSTRIALIZATION AND FINANCE AND THE ATTORNEY GENERAL

The Assistant Minister for Industrialization informed the Committee as follows-

- a) The Pan African Paper Mill was not operational due to unwillingness by the Short Term Lenders (STLs) in signing of the Settlement Agreement and their shifting of goal posts;
- b) The STLs demanded that the Government assigns tax receivables i.e. the government undertakes VAT refunds to the STLs but the government is hesitant in applying the model since it may be in breach of laws relating to revenue;

#### MIN.NO.232 /2011: WITHDRAWAL OF THE MEDIA

On the request of the Minister, the Committee agreed that the media should be excluded from the remainder of the sitting pursuant to standing order 180.

The Assistant Minister further informed the Committee as follows-

- c) The Cabinet had offered two options, which were to either persuade the STLs to an agreement or a take-over based on the "Uchumi" model;
- d) The government is also considering buying off the equipment of the Pan African Paper Mills and create a new 'vehicle', Webuye Paper Mills and has already drafted Memorandum of Understanding and Articles of Association;
- e) The Government has so far invested a total of Kshs. 1 billion with the bulk of the money spent in paying salaries to the workers on the ground and to KPLC;
- f) The government has further set aside a sum of Kshs.800 Million;
- g) Two of the STLs are also Long Term Lenders (LTLs); and

h) The lenders are taking advantage of the government commitment to reopen the plant.

The Committee directed that the Ministry should present a report after every 45 days indicating progress made towards reopening the plant.

MIN.NO.233 /2011: ADJOURNMENT

There being no other business, the Chairperson adjourned the meeting at fifty-five minutes past Twelve O'clock until a later date.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 19/7/2011

**MINUTES OF THE 49<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON FRIDAY, 12<sup>TH</sup> AUGUST, 2011 IN FAZA ICE PLANT, LAMU ISLAND AT 5.00 PM**

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P                    – Chairperson  
Hon. Daniel Muoki, M.P.  
Hon. Elias Mbau, M.P  
Hon. Joseph Gitari, M.P

**ABSENT WITH APOLOGY**

Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Gitobu Imanyara, M.P  
Hon. Charles Onyancha, M.P  
Hon. Peter Gitau, M.P  
Hon. Benjamin Langat, M.P

**ABSENT**

Hon. Isaac Ruto, M.P

**IN ATTENDANCE - NATIONAL ASSEMBLY**

Mr. Njenga Ruge                                -First Clerk Assistant  
Ms. Leah Wanjiru                                -Third Clerk Assistant

**MINISTRY OF FISHERIES DEVELOPMENT**

Mr. Godfrey V. Monor                    -        Director of Fisheries  
Mr. Nicholas Nthekeha                    -        Provincial Director of Fisheries  
Mr. Simon Komu                                -        District Fisheries Officer  
Mr. Maurice Akoth                            -        District Officer I  
Mohammed Ali                                    -        Chairman Rasini Fishermen Cooperative

**MIN.NO 270/2011 : VISIT TO FAZA ICE PLANT**

The Committee toured the plant and observed the following-

- electrical works were not 100% complete as machines had not been installed as stated in the report by the Minister;
- civil works were not 95% complete as the walls have not been painted, some doors were missing and the roof was leaking;

- Mechanical works have not been done;
- generator had been installed though not properly secured

MIN.NO. 271/2011 : ADJOURNMENT

The Chair adjourned the meeting at 5.00 PM until 6.00 pm today.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 23/8/2011





MIN.NO. 273/2011 : ADJOURNMENT

The Chair adjourned the meeting at 7.00 p.m until Saturday 13<sup>th</sup> August, 2011

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 23/8/2011

MINUTES OF THE 51<sup>ST</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD  
ON SATURDAY, 13<sup>TH</sup> AUGUST, 2011 IN JANNATAN HOTEL, LAMU ISLAND AT 10.00

AM

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P                    – Chairperson  
Hon. Daniel Muoki, M.P.  
Hon. Elias Mbau, M.P  
Hon. Joseph Gitari, M.P

ABSENT WITH APOLOGY

Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Gitobu Imanyara, M.P  
Hon. Charles Onyancha, M.P  
Hon. Peter Gitau, M.P  
Hon. Benjamin Langat, M.P

ABSENT

Hon. Isaac Ruto, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge                                -First Clerk Assistant  
Ms. Leah Wanjiru                                -Third Clerk Assistant

MIN.NO 274/2011 : REVIEW OF THE VISIT TO FAZA ICE PLANT

The Committee deliberated on the visit to Faza Ice Plant and made the following notes and observations-

- The Ice Plant was not complete and therefore the Minister is in breach of his assurance to the House and hence the Committee should consider recommending appropriate sanctions;
- The Minister misled the House by claiming that retendering had been done in 2009 as it was undertaken much later;
- It is not accurate to claim that electrical works are 100% complete as this can only be possible after the machines have been installed;

- Agreed to inquire whether a certificate of completion had been issued and also whether the contractor had been paid fully for the works;
- It is not fair to claim that the civil works are 95% complete as the walls have not been painted, some doors were missing, the roof was leaking and that the generator was not secured;
- The project was very important to the community and its stalling was a source of frustration and disillusionment as the people wholly depended on fishing activities for their livelihood; and
- Every effort should be made to complete the project.

MIN.NO.275/2011 : ADJOURNMENT

The Chair adjourned the meeting at 10.50 a.m until 11.00 a.m today.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 23/8/2011

MINUTES OF THE 59<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON TUESDAY, 8<sup>TH</sup> SEPTEMBER, 2011 IN SMALL DINING ROOM, MAIN PARLIAMENT BUILDINGS AT 11.50 am

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Gitobu Imanyara, M.P  
Hon. Elias Mbau, M.P  
Hon. Charles Onyancha, M.P  
Hon. Benjamin Langat, M.P  
Hon. Daniel Muoki, M.P.  
Hon. Peter Gitau, M.P  
Hon. Joseph Gitari, M.P

ABSENT

Hon. Isaac Ruto, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Ms. Leah Wanjiru - Third Clerk Assistant

MINISTRY OF FISHERIES DEVELOPMENT

Hon. J. Amason Kingi, E.G.H. M.P - Minister for Fisheries Development  
Prof. Micheni J. Ntiba, CBS - Permanent Secretary  
Mr. Godfrey V. Monor - Director of Fisheries  
Mr. Simon W. Warui - Ministry of Fisheries Development  
Mrs. Joyce Mutugi - Ministry of Fisheries Development

MIN.NO. 312/2011 : PRELIMINARIES

The proceedings commenced with a word of prayer. The Chair welcomed the officials of the Ministry of Fisheries Development to the meeting.

**MIN.NO. 313/2011 : MEETING WITH THE MINISTER FOR FISHERIES DEVELOPMENT  
ON FAZA ICE PLANT IN LAMU**

The Committee heard the following:

- 1) The government had initially intended to build the ice plant at the Fisheries Department Land in Kizingitini Island. The Land was apparently in dispute so the Ministry had to relocate to Faza Ice Island;
- 2) A total of Kshs. 16.6 million was allocated to the project in the FY 2006/07;
- 3) In FY 2007/08 no money was allocated and by that time the Electrical works and civil work had been completed. The contract for the mechanical works was terminated due to the contractor (M/s Saary) supplying a sub-standard equipment;
- 4) In FY 2008/09, no funds were allocated since Kshs. 8.2 million was still held at the Lamu District Treasury;
- 5) In 2009/10 the Ministry of Public works re-evaluated the remaining works and gave an estimate of Kshs. 14.5 million on the remaining works including building works (Kshs.1.0 million), pending bill (Kshs. 1.2 million) and Mechanical works (Kshs. 12.3). The District Fisheries queried the figures and requested for funds to re-advertise the works. The funds were not released as the revised estimates were approved towards the end of the May, 2010 and it was not possible to utilize the funds before closure of the Financial Year;
- 6) In FY 2010/11, an A.I.E of Kshs. 4.6 million was issued to the District Fisheries Officer in Lamu in addition to the Kshs. 8.2 Million held at the District Treasury, Lamu. However the Kshs 4.6 million was reallocated to a landing beach project in Moa, Witu Division within the same Lamu District;
- 7) An advertisement on the mechanical was done in January, 2011 and the tenders were adjudicated on April, 2011 with the lowest as Kshs.11.0 million and highest as Kshs. 58 million. The District Tender Committee recommended the bidders for Kshs. 29.5 million which was far above Public Works estimate of Kshs.14.5 million; and

8) Due to the disparities in the figures, the Ministry has constituted a team of officers to visit the project site and to submit a report and recommendations by 30<sup>th</sup> September, 2011 whose terms of reference are:

- To evaluate and quantify the remaining works;
- Evaluate the viability of the project on the basis of cost effectiveness and efficiency in the production of ice vis-viz from buying from the local market;
- The project ownership and sustainability;
- Examine the options available to make the project useful to the community.

The Committee resolved to hold a joint meeting with the Ministry of Fisheries Development together with the Ministry of Public Works on 4<sup>th</sup> October, 2011 to deliberate on the disparities in the cost of the project.

MIN.NO 314/2011: ADJOURNMENT

There being no other business, the Chairperson adjourned the meeting at one O'clock until Tuesday, 13<sup>th</sup> September, 2011 at 11.30 am.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 15/9/2011





## MIN.NO. 334/2011 : MEETING WITH THE MINISTRY FOR FISHERIES DEVELOPMENT AND THE MINISTRY OF PUBLIC WORKS

The Chair invited the Minister for Fisheries to give an overview of the activities the Ministry has undertaken in a bid to complete Faza Ice Plant.

### Scope of works

The Minister started by giving a brief on the intended architectural design of Faza ice Plant which comprised of the following:

- Fish/Ice landing area with a sink top and worktop;
- Fish cold room and an adjoining refrigeration;
- Ice flake plant;
- Ice block plant rooms;
- Ice flake storage room and adjoining refrigeration plant room;
- Two (2) offices;
- Waiting lobby; and
- Water closet/shower rooms

### Initial tender awards

The project was advertised and the tender was awarded as follows:

- The tender for civil works was awarded to M/s Banu Contractors for a tender sum amount of Kshs. 6,149,447.
- The electrical works tender was awarded to M/s Waasy Electrical Services for tender sum of Kshs. 2, 528, 216.30.
- Mechanical works was awarded to M/s Saary General suppliers for a tender sum of Kshs. 9, 108, 598

The project was to be initially built in Ministry of Fisheries land in Kizingitini but due to land dispute the project was transferred to Faza Island.

### Task force findings

Following the meeting with the Committee the Ministry constituted a task force to visit the project and submit a report by 30<sup>th</sup> September, 2011. The task force was mandated to:

- Evaluate and quantify the remaining works;

- Evaluate the viability of the project on the basis of cost effectiveness and efficiency in production of ice vis-à-vis buying from the local market;
- Establish project ownership and sustainability; and
- Examine the options available to make the project useful to the community.

Upon visiting the site, the task force revealed that the civil works were 85% complete contrary to the earlier claim of 95% level of completion. The Committee sought to find out from the Minister if a full payment was made to the contractor despite of him doing 85% of the works. The task force upon evaluation found out that in order for the project to be completed with the initial specifications, it would require Kshs. 40.5 million an amount that cannot be realized this financial year or even through the supplementary estimates.

Further, the task force found out that the electrical sub – contract works had been certified as complete by the Public works officer in Lamu. However, the cold room installations including the ice flake and ice block making machines have not yet been installed.

The Committee was informed that there were a number of issues in regard with the various contractors which included:

- The Civil works contractor had made a claim of Kshs. 1.2 Million on account of additional works executed for land reclamation. On perusal of project file in Lamu, it was noted that there was a shortfall in funding of Kshs. 729,067 for the civil works.
- Mechanical sub contractor supplied ice flake and block making equipment that were rejected by the Provincial Electrical/ mechanical engineer. The contractor was ordered to get the machine out of the site. The contractor requested a price increase of 70% in order for them to supply to supply the ice plant as specified. The request was rejected and therefore the contractor abandoned the site.
- In March 2010.the District Fisheries Officer was advised by the Public works officers that the remaining civil and mechanical works would require a total of Kshs.14.5 million to be completed. The Committee further directed that the names of the officers who misled the Ministry be forwarded to the Committee.
- The remaining works were retendered on 20<sup>th</sup> January , 2011 and the tender was awarded to M/s Southern Engineering Co. Ltd at a tender sum of Kshs. 29, 116,180

- On 25<sup>th</sup> May, 2011, the Ministry of Public Works presented an estimate of Kshs. 56, 899, 869.60 which was disregarded because it was submitted after opening and evaluation of the bids.
- Due to the disparities in the estimation on cost of the project i.e Kshs. 14.5 Million and Kshs. 56.9 million , further expenditure on the project was suspended until a inquiry by the Public Accounts Committee

The task force examined **4 options** that were available in order to complete the works that were remaining. In light of the budgetary constraint and since most of the funds allocated to the Ministry had been committed and that it would be impossible to ask for more funds from treasury. The task force settled for option 3 which requires scaling down works to Kshs. 13.7 million. This option will be designed in such a way that there will be room for future improvement by the County Government.

The Ministry will therefore require a further Kshs. 1 Million to be raised to top up to the Kshs. 12.8 million lying at the District treasury.

Option 3 was recommended and its scope was as follows:

- Supply and installation of 2ton/24hr ice block machine which would cost approximately Kshs. 3 million
- Supply and installation of 3Kw refrigeration equipment for the ice cold room
- Installation of the fish cold room of dimensions 8.0x3.8x3.5 m high
- Installation of the ice cold room of dimensions 2.3 x4.4x3.5 m high
- Development of a 10meters deep water well
- Provision high level water tank and associated water booster pumps
- Completion of internal plumbing works
- Completion of internal drainage works and connection sewer
- Associated electro-mechanical works associated with the above installations
- Completion of civil works i.e glazing, doors, shutters, painting, gutters
- Supervision

The Task force has since recommended that the contract at hand be wound up on 'AS IS' basis. Further the project should be concluded and final Accounts prepared.

The Committee cautioned the Ministry of the legal tussles that may arise if the contract was wound up. The Ministry informed the Committee that no contractor has raised any certificate and therefore there will be no claim for payment.

The Minister acknowledged the need for consultation between the client and the contractor in order to avoid some mistakes that would have been otherwise avoided.

The Minister informed the Committee that lack of specification of the model of the ice block machine led to the bidders bidding for different figures which led to disparities in the estimates.

Having noted the failures made from the beginning, the Committee acknowledged the importance of the Monitoring and evaluation all the projects.

The Ministry was directed to present a **progress report every 2 months** to the Committee.

The Minister emphasized his commitment to the conclusion of the Faza Ice plant. The Ministry gave the Committee an undertaking that by **2<sup>nd</sup> week of May 2012** the project will be ready to be commissioned.

#### **MIN.NO.335/2011: ANY OTHER BUSINESS**

The Committee raised their concern on the conduct of Ministry of Public Works officers at the district level. Members cited collusion between the Public works officers and bidders.

#### **MIN.NO.336/2011: ADJOURNMENT**

There being no other business, the Chairperson adjourned the meeting at twenty five minutes to two O'clock until Thursday 6th October, 2011 at 11.30 a.m.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 06/10/2011

MINUTES OF THE 66<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON THURSDAY, 13<sup>TH</sup> OCTOBER, 2011 IN THE COMMITTEE ROOM 7, MAIN PARLIAMENT BUILDINGS AT 11.25 A.M

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Daniel Muoki, M.P

ABSENT WITH APOLOGY

Hon. Gitobu Imanyara, M.P  
Hon. Charles Onyancha, M.P  
Hon Joseph Gitari, M.P  
Hon. Benjamin Langat, M.P  
Hon. Elias Mbau, M.P  
Hon. Isaac Ruto, M.P  
Hon. Peter Gitau, M.P

OBSERVER

Hon. Alfred Sambu, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge - First Clerk Assistant  
Ms. Leah Wanjiru -Third Clerk Assistant

MINISTRY OF INDUSTRIALISATION

Hon. Nderitu Mureithi, M.P - Assistant Minister  
Eng. John Mosonik - Industrialization Secretary  
Eunice K. Miima - Industrialization Secretary  
Mr. Maakhi A. Ogolla - Chief Financial Officer  
Dr. Muliaro Wafula - Team Leader PAPML, Webuye  
Mr. Abdallah C. Bii - Legal Officer

MINISTRY OF FINANCE

Hon. Oburu Oginga , MP - Assistant Minister  
Esther Koimett - Investment Secretary, Treasury

**MIN.NO. 347/2011 : PRELIMINARIES**

The proceedings commenced with a word of prayer. The Chair welcomed the Officials of the Ministry of Industrialization and Finance to the meeting.

**MIN.NO.348/2011: MEETING WITH THE MINISTRIES OF INDUSTRIALIZATION AND FINANCE ON THE REVIVAL OF PAN AFRICAN PAPER MILLS, WEBUYE**

The Chairperson briefly explained the purpose of the meeting and further emphasized the need to bring the matter to closure since it was of national interest.

The Committee enquired on the way forward in the revival of Pan African Paper Mills (PAPML).

The Assistant Minister for Industrialization highlighted the contents of the letter from the Ministry of Industrialization to the Committee dated 28<sup>th</sup> September, 2011 which identified various efforts that have been made towards the revival of the mills.

The Assistant Minister reiterated that the delay in finalizing the negotiations between the Government and the lenders has been occasioned by the fact that PAPML was a private company with the Government being a minority shareholder.

The Committee was informed that an Inter ministerial meeting was convened at the Prime Minister's office chaired by the acting Minister for Industrialization.

The meeting reviewed options for the way forward to revive PAPML. The meeting adopted the following options as a way forward:-

- a. The Government would proceed to pay Kshs. 400 Million to STLs and secure a commitment letter with respect to tax receivables from KRA;
- b. The Ministry of Industrialization to issue a formal notice to the STLs to attend a meeting to discuss the agreement on settlement of their claim;
- c. Treasury to sign the Articles of Association to finalize the registration of Webuye. The registered company will be maintained in abeyance as a possible alternative measure should option 1 fail; and
- d. The Ministry of Industrialization to engage legal experts to advise and negotiate on behalf of Government.

The Committee was informed that the letter with respect to tax receivables was drafted by the STLs but KRA disagreed with the content.

The Ministry of Industrialization also expressed fears of the lenders making further claims once the STLs are paid off.

The Committee noted that the mandate of the Committee was the revival of PAPML and the timeframe and not the modalities of revival.

The Investment Secretary reaffirmed the Government commitment in the revival of PAPML.

The Committee observed from the discussions that the Ministries of Industrialization and Finance were not in agreement on the modalities and mechanisms of the revival of PAPML.

The Committee therefore resolved to hold a meeting with the Ministry of Industrialization on **Tuesday, 18<sup>th</sup> October, 2011**. A subsequent meeting will be held with the Ministry of Finance.

**MIN.NO.349/2011: ADJOURNMENT**

There being no other business, the Chairperson adjourned the meeting at fifty minutes past Twelve O'clock until Tuesday, 18th October, 2011 at 11.00 a.m.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 18/11/2011

**MINUTES OF THE 67<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON TUESDAY, 18<sup>TH</sup> OCTOBER, 2011 IN THE COMMITTEE ROOM 4<sup>TH</sup> FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 11.25 A.M**

The following Members of the Committee were present:-

Hon. Alex Mwiru, M.P – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Benjamin Langat, M.P  
Hon. Peter Gitau, M.P  
Hon. Elias Mbau, M.P  
Hon Joseph Gitari, M.P

**ABSENT WITH APOLOGY**

Hon. Gitobu Imanyara, M.P  
Hon. Charles Onyancha, M.P  
Hon. Isaac Ruto, M.P  
Hon. Daniel Muoki, M.P

**OBSERVER**

Hon. Alfred Sambu, M.P

**IN ATTENDANCE - NATIONAL ASSEMBLY**

Mr. Njenga Ruge – First Clerk Assistant  
Ms. Leah Wanjiru – Third Clerk Assistant

**MINISTRY OF INDUSTRIALIZATION**

Hon. Nderitu Mureithi, M.P – Assistant Minister  
Eng. John Mosonik – Industrialization Secretary  
Eunice K. Miima – Industrialization Secretary  
Dr. Muliaro Wafula – Team Leader PAPML, Webuye  
Mr. Abdallah C. Bii – Legal Officer

**MIN.NO. 350/2011 : PRELIMINARIES**



The proceedings commenced with a word of prayer. The Chair welcomed the officials from the Ministry of Industrialization to the meeting and explained the purpose of the meeting, namely, pending issues arising from the meeting of Thursday, 13<sup>th</sup> October, 2011.

**MIN.NO.351/2011: MEETING WITH THE MINISTRY OF INDUSTRIALIZATION ON PAN AFRICAN PAPER MILLS, WEBUYE**

The Committee was informed as follows:

- There were differences of opinion within government on the implementation of the Cabinet directive on the re-opening of Pan African Paper Mills and that there are efforts to iron out the disagreements;
- The Ksh. 400 million will be paid out to the Short Term Lenders (STLs) so that they can lift the receivership; The other main groups are the unsecured creditors like Keno/Kobil as well as long term lenders;
- Keno/Kobil has a case pending in Court asking that the company be wound up and that there is an indicative figure to be paid to Long Tern Lenders;
- A legal option must be found to deal with the majority share holder once the lenders have been paid off;
- There are 2 types of stocks at PAPML namely spare parts & receivables which have already been documented. The other stock belonging to the Government is paper that has been produced;
- The STLs had been directed to secure their floating assets including the paper that was there before the Government moved in to revive PAPML;
- The STLs were demanding that the Government assigns tax receivables;
- The Ministry of Industrialization has managed to open an account with Central Bank where all the proceeds from sale of paper is being deposited; A meeting was held four weeks ago between the Ministry and customers to address the problem of tax payments to KRA;
- The machines at the PAPML are being serviced regularly to avoid corrosion;
- Currently machines 1,3,and 4 are in operation out of the 4 machines at the factory;
- By 10<sup>th</sup> November , 2011 the factory will resume operations using the 3 machines;
- The Permanent Secretary, Ministry of Industrialization is following up the issue of tax refund with KRA;
- The easiest option to revive PAPML is to allow the lenders to sell and pay off the STLs;

- A meeting by the cabinet on 27<sup>th</sup> April, 2010 approved a memo jointly submitted by the Deputy Prime Minister and Minister for Finance, the Minister for Industrialization and the Minister for Forestry and Wildlife;
- A meeting convened at the Prime Minister's office chaired by the acting Minister for Industrialization agreed that the Government proceed to pay Kshs. 400 million to the STLs and secure a commitment letter with respect to the tax receivables from Kenya Revenue Authority;
- The decision of the Cabinet is in variance with the minutes of the meeting held at the PM's office;
- The minutes of the meeting convened at the Prime Minister's office were not signed by the participants and that the Minister of Industrialization has disowned the minutes of the meeting;
- The hesitation in paying off the STLs is due to the unsigned minutes;
- The Ministry requires approximately Ksh. 2.5-3 billion to remove all encumbrances related to reopening of PAPM; and
- The paper at the factory at the moment is worth Ksh. 210 million and that paper worth Ksh. 82 million was sold last week alone.

The Committee reiterated that the mandate of the Committee is not on the modalities of reviving the PAPML but to ensure that the factory is back to operation;

The Committee enquired on whether there are any conflicting interests either within or without that are impeding the process of revival;

The Committee directed that the list of names of the unsecured creditors be provided;

The Committee informed the Minister that the Committee will proceed to compile its report on the matter.

#### MIN.NO.352/2011: ADJOURNMENT

There being no other business, the Chairperson adjourned the meeting at twenty minutes past One O'clock until Tuesday, 18th October, 2011 at 1.30 p.m.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 8/11/2011

MINUTES OF THE 78<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON MONDAY, 12<sup>TH</sup> DECEMBER, 2011 IN THE ANGAZA ROOM, PANGONI RESORT, MOMBASA AT 9.30 A.M

PRESENT

Hon. Alex Mwiru, M.P – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Gitobu Imanyara, M.P  
Hon. Daniel Muoki, M.P  
Hon. Benjamin Langat, M.P  
Hon. Elias Mbau, M.P  
Hon. Joseph Gitari, M.P

ABSENT WITH APOLOGY

Hon. Isaac Ruto, M.P  
Hon. Charles Onyancha, M.P  
Hon. Peter Gitau, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge - First Clerk Assistant  
Mr. Ahmad Kadhi - Third Clerk Assistant  
Ms. Leah Wanjiru - Third Clerk Assistant

MIN.NO.389/2011: PRELIMINARIES

The proceedings commenced with a word of prayer.

The Chairperson welcomed Members to the report writing retreat. The Committee considered and adopted the programme of activities with minor amendments.

**MIN.NO.390/2011: CONSIDERATION OF THE REPORTS OF THE RE-OPENING OF PAN-  
AFRICAN PAPER MILLS, WEBUYE AND ON COMPLETION OF FAZA ICE PROJECT, LAMU**

The Committee was taken through the two reports to be discussed during the retreat.

The Committee directed that the two reports be merged into a single report encompassing the activities undertaken by the Committee which will constitute the Half Year Progress Report for the period July to December 2011 to include the following:

- Sitings of the Committee
- Mode of operation
- Activities of the Committee
- Challenges faced
- Recommendations to address the above challenges
- The Pan African Paper Mills Report
- The Inspection visit to Faza Ice Plant, Lamu
- Conclusion

**MIN.NO.391/2011: ADJOURNMENT**

The meeting was adjourned at thirty minutes past Ten O'clock until midday to allow the secretariat to reorganise and compile the revised report as directed.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 14/2/2012

MINUTES OF THE 79<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON  
MONDAY, 12<sup>TH</sup> DECEMBER, 2011 IN THE ANGAZA ROOM, PANGONI RESORT, MOMBASA  
AT 2.00 P.M

PRESENT

Hon. Alex Mwiru, M.P                      – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Gitobu Imanyara, M.P  
Hon. Daniel Muoki, M.P  
Hon. Benjamin Langat, M.P  
Hon. Elias Mbau, M.P  
Hon. Joseph Gitari, M.P

ABSENT WITH APOLOGY

Hon. Isaac Ruto, M.P  
Hon. Charles Onyancha, M.P  
Hon. Peter Gitau, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge                      - First Clerk Assistant  
Mr. Ahmad Kadhi                      - Third Clerk Assistant  
Ms. Leah Wanjiru                      - Third Clerk Assistant

MIN.NO.392/2011: CONSIDERATION OF THE HALF YEAR REPORT OF THE COMMITTEE  
FOR THE PERIOD JULY-DECEMBER,2011

The Committee considered the report encompassing the activities undertaken by the Committee between July-December,2011 as follows:

- Sittings of the Committee

- Mode of operation
- Activities of the Committee
- Challenges faced
- Recommendations to address the above challenges
- The Pan African Paper Mills Report
- The Inspection visit to Faza Ice Plant, Lamu
- Conclusion

The Committee adopted the report with the following recommendations-

- Under paragraph 5.0 on activities, the report to include details of action taken by respective Ministries to implement the resolutions and additional information sought by the Committee in respect of petition by pyrethrum farmers;
- Paragraph 7.0 should be headed "**Recommendations**" and to include a proposal to revise the standing orders to address challenges identified in paragraph 6.0;
- Under paragraph 8.3, the cabinet decision on the roadmap for revival of Pan Paper to be inserted. A further recommendation on commencement of interpleader proceedings by the Attorney General to be added;
- Under paragraph 9.3, the measures proposed by the Ministerial task force for completion of the project to be enumerated;
- A conclusion to be added summarizing the achievements of the Committee and justifying its reintroduction.

#### MIN.NO.393/2011: ADJOURNMENT

The meeting was adjourned at fifteen minutes past Four O'clock until Tuesday, 13<sup>th</sup> December, 2011 at 9.00 am

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 14/2/2012

MINUTES OF THE 80<sup>TH</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON TUESDAY, 13<sup>TH</sup> DECEMBER, 2011 IN THE ANGAZA ROOM, PANGONI RESORT, MOMBASA AT 9.00 A.M

PRESENT

Hon. Alex Mwiru, M.P – Chairperson

Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson

Hon. Gitobu Imanyara, M.P

Hon. Daniel Muoki, M.P

Hon. Benjamin Langat, M.P

Hon. Elias Mbau, M.P

Hon. Joseph Gitari, M.P

ABSENT WITH APOLOGY

Hon. Isaac Ruto, M.P

Hon. Charles Onyancha, M.P

Hon. Peter Gitau, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge - First Clerk Assistant

Mr. Ahmad Kadhi - Third Clerk Assistant

Ms. Leah Wanjiru - Third Clerk Assistant

MIN.NO.394/2011: CONSIDERATION OF THE REVISED HALF YEAR REPORT OF THE COMMITTEE FOR THE PERIOD JULY-DECEMBER,2011

The Committee considered the revised report and added the following-

Paragraph 10.0, to indicate that the Committee also provided a link between the Legislature and the Executive; and to further recommend that due to the nature of the mandate, a permanent Secretariat should be attached to the Committee to enhance its capacity to follow-up matters under its purview especially recommendations by the PAC and PIC.

MIN.NO.395/2011: ADJOURNMENT

The meeting was adjourned at Ten O'clock until 11.00am this morning.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 14/2/2012



MINUTES OF THE 81<sup>ST</sup> SITTING OF THE COMMITTEE ON IMPLEMENTATION HELD ON TUESDAY, 13<sup>TH</sup> DECEMBER, 2011 IN THE ANGAZA ROOM, PANGONI RESORT, MOMBASA AT 11.00 A.M

PRESENT

Hon. Alex Mwiru, M.P                      – Chairperson  
Hon. (Dr.) Joyce Laboso, M.P – Vice Chairperson  
Hon. Gitobu Imanyara, M.P  
Hon. Daniel Muoki, M.P  
Hon. Benjamin Langat, M.P  
Hon. Elias Mbau, M.P  
Hon. Joseph Gitari, M.P

ABSENT WITH APOLOGY

Hon. Isaac Ruto, M.P  
Hon. Charles Onyancha, M.P  
Hon. Peter Gitau, M.P

IN ATTENDANCE - NATIONAL ASSEMBLY

Mr. Njenga Ruge                      - First Clerk Assistant  
Mr. Ahmad Kadhi                      - Third Clerk Assistant  
Ms. Leah Wanjiru                      - Third Clerk Assistant

MIN.NO.396/2011: CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS

Minutes of the 78<sup>th</sup>, 79<sup>th</sup> & 80<sup>th</sup> sittings were confirmed by the Members present.

MIN.NO.397/2011: CONSIDERATION OF THE HALF YEAR REPORT OF THE COMMITTEE FOR THE PERIOD JULY-DECEMBER,2011

The Committee considered and adopted the final report and directed that it should be tabled on Thursday, 15<sup>th</sup> December,2011.

MIN.NO.398/2011: ANY OTHER BUSINESS

The Committee thanked the Secretariat for their efforts to compile the report. The Chair extended his appreciation to Members for their commitment in finalising the task.

MIN.NO.399/2011: ADJOURNMENT

The meeting was adjourned at midday.

Signed: HON. ALEX MWIRU, MP

CHAIRPERSON

Date: 14/2/2012

# Appendix 1

## Government Assurances 2009

NO.	DATE	MINISTRY	QUESTION NO.	SUBJECT	ASKED BY	ANSWERED BY	ASSURANCE
1.	28 <sup>th</sup> Jan. 2009	ROADS	QUESTION NO. 606	UPGRADING OF ROADS IN KIRINYAGA CENTRAL DISTRICT	HON. KARIUKI	HON. (DR.) MACHAGE (Ass. Minister)	The District Roads Engineer has been asked to table the two roads before the District Roads Committee for prioritisation to improve them to gravel standards in the financial year 2009/2010.
2.	4 <sup>th</sup> Feb 2009	ROADS	QUESTION NO.488	TARMACKING OF ROADS IN VOI CONSTITUENCY	HON. MWAKUL-EGWA	HON. KINYANJUI (Ass. Minister)	I have taken up the request and I will be able to follow up and ensure that we allocate funds for graveling of that road.  Government is at an advanced stage in negotiating for funding with the European Union (EU) and we are confident that we will be able to include it in this year's financial budget.
3.	3 <sup>rd</sup> Feb 2009	ROADS	QUESTION NO.529	UPGRADING OF SONDU-KUSA ROAD TO BITUMEN STANDARDS	HON. OCHIENG	HON. (DR.) MACHAGE (Ass. Minister)	The Ministry has no immediate plans to upgrade this road to bitumen standards. However, a road investment plan is being carried out for all roads in the country, and this road is being considered along with the others. This investment plan is scheduled to be completed this financial year.
4.	4 <sup>th</sup> Feb. 2009	ROADS	QUESTION NO.409	TARMACKING OF WAJIR-MANDERA ROAD	HON. AFFEY	HON. KINYANJUI (Ass. Minister)	The design for the road is ongoing and it is expected to be complete by June 2009. The Government will then solicit for funds from development partners and local sources for tarmacking of the road. The Wajir-Mandera Road is a national trunk road classified as Road B9 and the road is in fair condition. The designs for the road is ongoing and efforts are ongoing to ensure that funds are availed. In the meantime, a road sector investment plan for the year 2009 and 2013 is being prepared by the Ministry and the road will be prioritised for tarmacking in the plan.

5.	10 <sup>th</sup> Feb. 2009	ROADS	QUESTION NO.611	FINANCIAL ALLOCATION FOR REPAIR OF ENDAO BRIDGE	HON. MWAITA	HON. MACHAGE (Ass. Minister)	My Ministry has allocated Kshs9 million to Endao Bridge this Financial Year. 2009/2010. The money will be used to construct a dyke to tame the river to its original course as a temporary measure. The money is already with the District Roads Engineer awaiting the procurement process.  I take great cognisance that this is a very important road. I am in the process of re-looking into the design of the road and when finances are available, I will take it as a priority.
6.	11 <sup>th</sup> Feb. 2009	ROADS	QUESTION NO.610	REPAIR OF NYERI- NYAHURURU ROAD	HON. WARUGO NGO	HON. KINYANJUI (Ass. Minister)	The contract period is 24 months. The contractual formalities are being finalised, so that the contractor can embark on the road works. We will be signing the contract in the next two weeks and the contractor will start work as soon as possible.
7.	11 <sup>th</sup> Feb. 2009	ROADS	QUESTION NO.188	CONSTRUCTION OF FLY-OVER AT NAIVASHA- KINANGOP JUNCTION	HON. MUTUTH O	HON. KINYANJUI (Ass. Minister)	We undertake to, at least, take care of the roads that he has mentioned, among many other ones that do not have road signs, and are, therefore, a cause of accidents on our roads.
8.	12 <sup>th</sup> Feb 2009	ROADS	QUESTION NO.623	RECONSTRUCTI- ON OF RODIKOPANY- KARUNGU ROAD	HON. MBADI	HON. MACHAGE (Ass. Minister)	...in June, 2008, the tender for the repair and rehabilitation of the road was advertised by the Ministry and the procurement process is on-going.
9.	17 <sup>th</sup> Feb 2009	ROADS	QUESTION NO.557	CONSTRUCTION OF SYOMAKANDA/ SYOTUVALI BRIDGE	HON. NYAMAI	HON. MACHAGE (Ass. Minister)	It is planned to complete the design of the bridge and the approach roads before the end of March, 2009, following which the work will be prioritized among others for tendering.
10.	18 <sup>th</sup> Feb	ROADS	QUESTION NO.556	REHABILITATION OF	HON. K. KILONZO	HON. KINYANJUI	The Ministry will provide Kshs800, 000 during the current financial year for the maintenance of Thua Bridge. This is the

	2009			THUA BRIDGE			(Ass. Minister)	amount estimated to be adequate for emergency repair and maintenance of the existing bridge. The Ministry will also construct a drift down-stream of the existing bridge at a cost of Kshs13 million in the Financial Year 2009/2010 to be used by vehicles weighing over 15 tonnes.
11.	28 <sup>th</sup> May 2009	ROADS	QUESTION NO.062	REHABILITATION OF SIMBA-NASUMBA ROAD	HON. KIILU	HON. BETT (Minister)	HON. BETT (Minister)	The Ministry plans to improve and protect the Muooni River drift and its approaches in the coming financial Year 2009/2010.
12.	28 <sup>th</sup> May 2009	ROADS	QUESTION NO.171 R	CONSTRUCTION STATUS OF ISIOLO-MOYALE ROAD	HON. CHACHU	HON. BETT (Minister)	HON. BETT (Minister)	I assure this House that that will not be long since the Permanent Secretary has already made plans to travel to Tunis to negotiate for Phase II.
13.	9 <sup>th</sup> June 2009	ROADS	QUESTION NO.13	REPAIR OF KISII-MIGORI-ISEBANIA ROAD	HON. PESA	HON. KINYANJUJI (Ass. Minister)	HON. KINYANJUJI (Ass. Minister)	My Ministry is currently undertaking the repair works on the Kisii-Migori-Isebania Road. The works involve site clearance, cleaning of the drainage, gravelling of shoulders and pothole patching. The contract commenced on 7th April 2009, and is due to end in October 2009.
14.	10 <sup>th</sup> June 2009	ROADS	QUESTION NO.228	REPAIR OF NYERI-NYAHURURU ROAD	HON. WARUGO NGO	HON. KINYANJUJI (Ass. Minister)	HON. KINYANJUJI (Ass. Minister)	My Ministry has already contracted out works for repair and resurfacing of the Nyeri- Nyahururu Road (B5). The project will take 24 months and it is expected to be completed in April 2011.
15.	17 <sup>th</sup> June 2009	ROADS	QUESTION NO.247	TARMACKING OF NAROK-NAKURU ROAD	HON. OLE LANKAS	HON. KINYANJUJI (Ass. Minister)	HON. KINYANJUJI (Ass. Minister)	My Ministry is in the process of procuring a consultant for the design and review of the remaining 37 kilometres of Road C57 from Narok to Mau Narok. The process is anticipated to be completed before the end of August, 2009. The Ministry shortlisted consultants for the design review of the roads and the following six qualified: Apex Consortium Limited, East African Engineering Consultants, Gibb Africa Limited, Howard Humphrey, Abdul Mulik Associates Limited and Cars Consultants.  The evaluation of the tender is ongoing and is expected to be completed by August after which the contract would be given within the last six months and, thereafter, we shall award the contract for

								construction. .....want to assure the hon. Member that we are committed to ensuring that the road is done because it connects Nakuru to Narok which is part of the tourism circuit. The Ministry has started work from Elementaita and we shall ensure that it is completed this Financial Year.
16.	23 <sup>rd</sup> June 2009	ROADS	QUESTION NO.216	REPAIR OF KWASOMBA- KASIKEU ROAD	HON. KIILU			...this road has been tendered and the tenders have been arbitrated. The Kwasomba-Kwakotoe-Mwangini Road has been awarded to a contractor. Mjomba General Agencies. The contract is Kshs26.7 million and it will take six months. It is due to begin any time from this date or as soon as the funds are released from the Treasury. We expect the works to be concluded by November 2009.
17.	24 <sup>th</sup> June 2009	ROADS	QUESTION NO.253	CONSTRUCTION OF BRIDGE ACROSS THIKA RIVER	HON. MBAI	HON. MACHAGE (Ass. Minister)		I assure the hon. Member that I very much appreciate the magnitude of the problem this bridge has caused to the community in that area. I have taken note and I have great concern. That is why I have instructed the Provincial Engineer to give me a report and design that bridge so that I can prioritize its construction in this Financial Year. 2009/2010.
18.	13 <sup>th</sup> August 2009	ROADS	QUESTION NO.078	REHABILITATION OF NANYUKI- TIMAU ROAD	HON. RUTEERE	HON. KINYANJUJI (Ass. Minister)		My Ministry has set aside Kshs11 million this financial year to ensure that that section is repaired.
19.	26 <sup>th</sup> August 2009	ROADS	QUESTION NO.320	UPGRADING OF LANET-DONDORI ROAD TO BITUMEN STANDARD	HON. GAICHUHI	HON. BETT (Minister)		My Ministry has allocated in this Budget. Kshs100 million for this road and the construction is expected to commence immediately the design and documentation is completed.
20.	26 <sup>th</sup> August 2009	ROADS	QUESTION BY PRIVATE NOTICE	STALLING OF THOGOTO- MUTARAKWA ROAD PROJECT	HON. MWATHI	HON. BETT (Minister)		..... the re-tendering will be done within this financial year and we expect to start the work this year.

21.	10 <sup>th</sup> Sep . 2009	ROADS	QUESTION NO. 386	DELAYED WORKS ON MOSORIOT- KAPSABET/ KAPSABET-YALA ROADS	HON. LAGAT	HON. MACHAGE (Ass. Minister)	I have clearly said that I have started repair of the road for the purposes of making it motorable. I have clearly said that I have not started constructing this road for the purpose of fully building it.
22.	10 <sup>th</sup> Sep . 2009	ROADS	QUESTION NO.359	CRITERIA FOR CLASSIFYING ROADS IN THE COUNTRY	HON. MWAITA	HON. MACHAGE (Ass. Minister)	.... I will endeavour to do that. After I receive a consultant report that will give me the road mapping for the wholecountry. I will consider that. I expect to get that report by the end of this year.
23.	9 <sup>th</sup> Dec. 2009	ROADS	QUESTION NO. 355	RE- CLASSIFICATION OF ROADS IN NYANDO DISTRICT	HON. OCHIENG	HON. MACHAGE (Ass. Minister)	I am getting the report this month. I also had to get a proper report to the satisfaction of the Member. I think it was worth waiting for. Mid this month is only a few days away.
24.	28 <sup>th</sup> Jan. 2009	PROVINC- IAL ADMINIS- TRATION & INTERN- AL SECURITY	QUESTION NO.053	GAZETTEMENT OF POLICE STATIONS IN TURKANA CENTRAL	HON. ETHURO	HON. OJODE (Ass. Minister)	I was saying that a number of MPs here are going to benefit from the new vehicles which we have just allocated. If you want me to come with a list here, I will do so. After the allocation, I will table the list of areas that have so far benefitted.
25.	5 <sup>th</sup> Feb. 2009	PROVINC- AL ADMINIS- TRATION & INTERN- AL SECURITY	QUESTION NO.173	PROVISION OF GK VEHICLES TO WAMBA DISTRICT	HON. LETTIMALO	HON. LESIRMA (Ass. Minister)	The District Officer for Uasu Division and Archers Police Post will be considered for allocation of vehicle alongside others when additional vehicles are purchased during the current financial year 2008/2009
26.	5 <sup>th</sup> Feb.	PROVINC-	QUESTION NO.602	NON-PAYMENT OF DUES TO	HON.WA MALWA	HON. LESIRMA (Ass. Minister)	Ministry is in the process of looking for money to pay the officers their dues during the 2008/2009 revised estimates.

2009	IAL ADMINISTRATION & INTERNAL SECURITY	QUESTION NO.549	DISTRICT OFFICERS IN RIFT VALLEY	HON. WAS HIALI	HON. OJODE (Ass. Minister)	As I said earlier on, we have factored that figure in the revised estimates and as soon as they are approved, we will pay them. I am giving my assurance to the hon. Member and, indeed, I am grateful to him for bringing this matter to my attention. That is because those officers work under me.
27.	3 <sup>rd</sup> Feb. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	POSTING OF OCPD/POLICE OFFICERS TO MUMIAS DISTRICT	HON. WAS HIALI	HON. OJODE (Ass. Minister)	The Government is in the process of posting OCPDs to Mumias and all other areas, including the newly created districts.  I did mention here that the police officers are undergoing training. After which, we will post them to areas where we do not have OCPDs, including Mumias. I want to confirm that he will get an OCPD as soon as the officers finalise their course.  It will take some process. As I said, once the course is over, we will identify those to be posted to district headquarters. So, hon. Members should not have a problem with that undertaking. Let them complete their course and then we will post them.
28.	4 <sup>th</sup> Feb. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	GAZETTMENT OF POLICE STATIONS IN TURKANA CENTRAL	HON. ETHURO	HON. OJODE (Ass. Minister)	I will give information on vehicles allocations not only to his constituency but the whole allocation to this House. I will do that tomorrow and that is what I had committed on that particular day.  I confirm that vehicles which will be allocated to crime-prone areas, especially those going to the upper Eastern and North Eastern Provinces will be fitted with the VHF radios
29.	4 <sup>th</sup> Feb. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	MEASURES TO CURB INSECURITY IN VOI CONSTITUENCY	HON. MWAKIL-EGWA	HON. OJODE (Ass. Minister)	The police are in the process of putting up a police station in the area and as a first step, the Government has identified a piece of land from a willing seller. Negotiation for the transfer of the same is on going.



30.	27 <sup>th</sup> May, 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	QUESTION NO.098	ESTABLISHMENT OF FULL DISTRICT POLICE HEADQUARTERS IN LIMURU TOWN	HON. NJUGUNA	HON. OJODE (Ass. Minister)	We are thinking of allocating some funds in the next financial year's Budget in order for us to have some infrastructure. Once we get the funding, we will be able to construct staff houses of Category E, totaling 30 units. We need to have an office building. We need to equip those offices with communications equipment. So, I think we will be able to allocate some money in the next financial year in order for us to start the construction work.
31.	30 <sup>th</sup> July, 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	QUESTION NO.156	PROVISION OF SERVICEABLE VEHICLES TO GARBA TULLA/SERICHO POLICE STATIONS	HON. BAHARI	HON. OJODE (Ass. Minister)	I want to assure this House that those vehicles are still serviceable and I will put in some little money for their repairs. I understand that one of the vehicles is not working now. But I will find out what is happening and the vehicles will be in use  We have plans to build 24 modern housing units for the police as per the department's work plan for 2009/2010, which is awaiting funding.
32.	26 <sup>th</sup> August, 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	QUESTION NO.353	CONSTRUCTION OF STAFF HOUSES/ADMINISTRATION BLOCK AT PAP- ONDITI POLICE STATION	HON. OCHIENG	HON. OJODE (Ass. Minister)	In the meantime, we will provide some unihut as a stop-gap measure in order for services to continue.  Sir, as soon as he writes to us that he needs the uni -huts.
33.	10 <sup>th</sup> Sep. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	PRIVATE NOTICE	BANDITRY ALONG ISIOLO- MODOGASHE ROAD	HON. BAHARI	HON. LESIRMA (Ass. Minister)	I will intensify the patrols in that particular area and increase security personnel to mop up the highway bandits.

34.	16 <sup>th</sup> Sep. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	QUESTION NO.371	CRITERIA USED IN RECRUITMENT OF APS FROM NYS POOL	HON. ESELI	HON. OJODE (Ass. Minister)	Where we have recruited few personnel from those districts, we will at least, consider a higher figure in the regular recruitment.
35.	9 <sup>th</sup> Dec. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	QUESTION NO.193	NUMBER OF DOCTORS AUTHORISED TO SIGN P3 FORMS IN EACH PROVINCE	HON. NYAMAI	HON. OJODE (Ass. Minister)	the Government will make sure that doctors sign the P3 forms without delay. The Government will equally make sure that those doctors who are supposed to give evidence in court attend court promptly. That is an assurance from the Government.
36.	9 <sup>th</sup> Dec. 2009	PROVINCIAL ADMINISTRATION & INTERNAL SECURITY	PRIVATE NOTICE	FATAL SHOOTING OF MESSRS. J.O.OCHOL AND GATHOGO	HON. OLAGO	HON. OJODE (Ass. Minister)	under normal circumstances, we normally wait for the advice from the Attorney-General. To date, I have not received anything from the Attorney-General. However, I will try and ask him to fast-track the exercise.
37.	5 <sup>th</sup> Feb. 2009	WATER & IRRIGATION	QUESTION NO.609	NON-COMPLETION OF MWIYOGO WATER PROJECT	HON. UGONGO	HON. NGILU (Minister)	Mwiyo Water Project is also 98 per cent complete. The remaining works will be completed by the end of this month of February.

38.	5 <sup>th</sup> Feb. 2009	WATER & IRRIGATI- ON	QUESTION NO.586	PROVISION OF PIPED WATER TO MATILIKU TOWN	HON. KIILU		My Ministry is currently evaluating bids from consulting firms to undertake detailed design study for these works.  We have sent out the tenders and I think between now and Monday, we are going to open them and see who wins. We would then be able to begin the work.
39.	3 <sup>rd</sup> Feb. 2009	WATER & IRRIGATI- ON	QUESTION NO.417	SHORTAGE OF WATER IN SAMBURU EAST DISTRICT	HON. LETIMALO	HON. KIUNJURI	If the case is genuine that there is no water for especially schools, we are going to make sure that there are water boozers immediately. Immediately means you come to my office tomorrow and on Thursday, water boozers will be there.
40.	12 <sup>th</sup> Feb. 2009	WATER & IRRIGATI- ON	QUESTION NO.574	CONSTRUCTION OF DYKES/ DAMS ALONG RIVER KUJA	HON. ANYANGA	HON. KIUNJURI	We have agreed that we are going to tour the district in April. We have confirmed that with the Minister. That way, we can tackle the water issues collectively in the district.
41.	18 <sup>th</sup> Feb. 2009	WATER & IRRIGATI- ON	QUESTION NO.619	SUPPLY OF WATER FROM MANOONI DAM TO NZAUI RESIDENTS	HON. KIILU	HON. KIUNJURI	My Ministry will rehabilitate Manooni Dam starting the next Financial Year, 2009/2010 at an estimated cost of Kshs21.3 million. The works will comprise of scooping the silt that has accumulated over the years, construction of composite filtration units, rehabilitation and extension of distribution network, construction of community water points and rehabilitation of masonry tanks and fencing of the dam site.
42.	19 <sup>th</sup> May. 2009	WATER & IRRIGATI- ON	QUESTION	REHABILITATION OF MZIMA PHASE I PROJECT	HON. MWAZO	HON. NGILU	When the contract is awarded and the contractor is on site, I can assure the hon. Member that it will be done quite fast.  I can assure the hon. Member that once Mizima Phase II is started, the design will include those two towns, Kishushe and Mwakitau.
43.	21 <sup>st</sup> May.	WATER &	QUESTION NO.032	SEVERE WATER SHORTAGE IN	HON. DR. MUNYAKA	HON. NGILU	Raising of the dam embankment and the

44**	21 <sup>st</sup>	July, 2009	WATER & IRRIGATI-ON	WATER & IRRIGATI-ON	QUESTION NO.188	PROVISION OF CLEAN DRINKING WATER TO MWEA RESIDENTS	HON. GITAU	HON. KIJUNJURI	<p>My Ministry is constructing Ndikiki Water Supply which will serve Ndiriruku, Kiambi and Kiangu areas that are traversed by Murubara Stream on the downstream of the Mwea CK Prison. The project which is estimated to cost Kshs25 million is being funded by IFAD and is about 40 per cent complete. When completed, this project will ensure that the residents of these areas have access to safe drinking water so as not to draw water from Murubara Stream.</p> <p>I want to assure the hon. Member that the money is there and we will complete the project very soon, meaning in the next four months.</p>
45.	16 <sup>th</sup>	Sep. 2009	WATER & IRRIGATI-ON	WATER & IRRIGATI-ON	QUESTION NO.367	NUMBER OF DAMS CONSTRUCTED IN ALEGO USONGA SINCE	HON. YINDA	HON. KIJUNJURI	<p>we are going to start by de-silting two dams in the area, depending on the priority that will be given by the Member of Parliament.</p>
	2009		IRRIGATI-ON			MACHAKOS TOWN			<p>rehabilitation of the spillway are scheduled to be completed within the next Financial Year, 2009/2010, at a cost of an extra Ksh100 million. The project is scheduled, therefore, to be commissioned by the end of October, 2010</p> <p>We are going to look for resources to improve the sewerage. We are also going to look for funds to do more works. There is another dam that has to be done in Machakos called Miwongoni, and that requires extra money. We are going to look for resources to do that.</p> <p>(Hon Afey asked if the Minister is aware that North Eastern is experiencing water problems)</p> <p>I am aware that North Eastern Province is going through a very difficult time due to the long drought that has affected the whole country. However, recently, I disbursed some water bowers to North Eastern Province. I know that some areas in the province, for instance Mandera West, now have adequate water.</p> <p>We need to distribute the water that we have been able to drill to some of the places. I am aware and I am putting more resources in those areas.</p>

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46.	9 <sup>th</sup> Dec. 2009	WATER & IRRIGATION	QUESTION NO.523	COMPENSATION FOR LAND ACQUIRED FOR CONSTRUCTION OF MANOONI DAM	HON. KIILU	HON. KIUNJURI	We will make sure that those farmers are settled.
47.	21 <sup>st</sup> Jan. 2009	LOCAL GOVERN- MENT	QUESTION NO.542	CONSTRUCTION OF SEWERAGE SYSTEM IN MUMIAS MUNICIPALITY	HON. WASHIALI	HON. GITHAE	We will commence in July this year
48.	28 <sup>th</sup> Jan. 2009	LOCAL GOVERN- MENT	QUESTION NO.526	CONSTRUCTION OF SEWERAGE SYSTEM/ PROVISION OF CLEAN WATER IN NAKURU NORTH	HON. GAICHUHI E	HON. GITHAE	<p>My Ministry is in the process of recruiting physical planners so that they can start planning those towns.</p> <p>I would like to assure this House that we have seen the seriousness of this issue and we are doing all we can to make sure that we give sewerage services, in conjunction with the Ministry of Water and Irrigation.</p> <p>The Ministry of Water and Irrigation has already done the survey. We are going to push them so that, that survey could be implemented.</p>
49.	19 <sup>th</sup> May, 2009	LOCAL GOVERN- MENT	QUESTION NO.021	IMPROVEMENT OF CONDITIONS IN KATITO/SONDU MARKETS	HON. OCHIENG	HON. NGUYAI	My Ministry will liaise with Nyando-Nandi South Water Services Board (NYANAS) Company Limited with a view to providing water to the two markets. The company's main water supply lines pass near the two markets. The council intends to set aside funds in the 2009/2010 Financial Year for water connection to the two markets.
50.	20 <sup>th</sup> May, 2009	LOCAL GOVERN-	QUESTION NO.090	SEWERAGE SYSTEM FOR KIMENDE TOWN	HON. NJUGUNA	HON. NGUYAI	We will expedite it as quickly as possible.

51.	18 <sup>th</sup> June.2 009	LOCAL GOVERN- MENT	QUESTION NO.013	COMPLETION OF LUANDA TOWN BUS PARK	HON.DR. OTTICHIL O	HON. NGUYAI	<p>I assure this House that my technical team will be deployed to prepare tender documents for the bus park in readiness for implementation of the project during the 2010/2011 financial year.</p> <p>With respect to the demotion of illegal stalls in front of the bus park facing the Kisumu-Busia Highway, I wish to assure this august House that my Ministry is committed to ridding all towns of illegal structures. In this connection, I wish to confirm that I will order the Town Council of Luanda to demolish illegal stalls constructed in front of the said bus park in a humane manner.</p>
52.	29 <sup>th</sup> July, 2009	LOCAL GOVERN- MENT	QUESTION NO.266	PROVISION OF CEMETERIES TO MUSLIMS BY NCC	HON. AFFEY	HON. NGUYAI	<p>a task force is already in place to seek land for the new cemetery. They are looking for the land. I am sure that within the next few months, we will identify the land and start the negotiation process</p> <p>It is further noted that the Ministry and the Nairobi City Council plans to acquire some land within the metropolitan area for additional Muslim cemetery use.</p>
53.	10 <sup>th</sup> Feb, 2009	MEDICAL SERVICES	QUESTION NO.625	UPGRADING OF KANYANGI/KAU- WI 16 SUB-DISTRICT HOSPITALS	HON. NYAMAI	HON. ANYANG NYONG'O	<p>Ministry plans to progressively provide the missing infrastructure and additional staff to meet required standards within the next three years.</p>
54.	7 <sup>th</sup> May, 2009	MEDICAL SERVICES	QUESTION NO.020	CONSTRUCTION OF A FULLY- FLEDGED DISTRICT HOSPITAL IN EMUHAYA	HON.DR. OTICHIL O	PROF. ANYANG- NYONG'O	<p>Emuhaya District will be given consideration alongside other newly created districts within the framework starting from 2009/2010 Financial Year.</p> <p>I assure the hon. Member that we shall hold discussions from tomorrow to decide which districts will be prioritised to have the new district hospitals.</p>



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59.	11 <sup>th</sup> Feb. 2009	AGRICUL- TURE	QUESTION NO.316	UNDER- UTILISATION OF POTATO RESEARCH FACILITY IN MOLO	HON. KAINO	HON. MBIUKI	I want to assure the hon. Members that the Government is going to establish storage facilities in hon. Kaino's constituency, so that the quality of the potatoes is improved and the market prices are high
60.	12 <sup>th</sup> Feb. 2009	AGRICUL- TURE	QUESTION NO.633	GOVERNMENT PLANS TO ASSIST AVOCADO FARMERS IN KANDARA	HON. J.M. KAMAU	HON. MBIUKI	we are here to assure the House that we are going to enhance the quality of the avocados we have in the country, so that farmers in Kandara can reap maximum benefits from their harvest.
61.	12 <sup>th</sup> May. 2009	AGRICUL- TURE	QUESTION NO.037	MONEY OWED BY PYRETHRUM BOARD OF KENYA	HON. KAINO	HON. MBIUKI	Ministry has made a commitment to release Kshs2.8 million owed to the Marakwet farmers before June, 2009.
62.	24 <sup>th</sup> June. 2009	AGRICUL- TURE	QUESTION NO.250	ESTABLISHMENT OF FERTILIZER FACTORY	HON. CHANZU	HON. NDAMBUKI	I want to assure the hon. Member that I am very serious. I know that consultations are going on. There are private partners who have come up with proposals. This issue is being handled by the Treasury, the Ministry of Agriculture and the Ministry of Industrialization I totally agree with the hon. Member that consultations have been going on for a long time. At this point, I would also like to say that the Government has also invited private investors interested in setting up fertilizer manufacturing factories in this country. However, as far as partnership between the Government and the private sector is concerned, negotiations are on-going and I am sure they will materialize this time round.
63.	20 <sup>th</sup> Jan. 2009	EDUCATI- ON	QUESTION NO.450	SHORTAGE OF TEACHERS IN BURETI DISTRICT	HON. BETT	ASS MINISTER EDUC	We are going to employ 16000 interns to improve the situation
64.	14 <sup>th</sup> May.	EDUCATI-	QUESTION NO.121	PROVISION OF LABORATORY	HON.K. KILONZO	HON.PROF. OLWENY):	The Ministry will disburse laboratory equipment grants to public secondary schools identified by the District Education Boards



	2009	ON		EQUIPMENT TO SECONDARY SCHOOLS IN MUTITO		HON. YAKUB		(DEBs) by 31st May, 2009	
65.	4 <sup>th</sup> June, 2009	EDUCATION	QUESTION NO.128	PROVISION OF WATER/TOILET FACILITIES TO MOMBASA PRIMARY SCHOOLS	HON. OLWENY			The Ministry will support ten worse primary schools that do not have water and sanitation facilities. in each district in the next financial year. Each school will be given a grant of Kshs500,000 for improvement, rehabilitation and refurbishment of water and sanitation facilities	
66.	24 <sup>th</sup> June, 2009	EDUCATION	QUESTION NO.223	UNDERSTAFFING IN MAJI MAZURI SCHOOLS IN KOIBATEK DISTRICT	HON. LESSONET	HON. PROF. OLWENY		Only Maji Mazuri Girls' Secondary School and others with shortages countrywide will be considered in the next recruitment. The shortage of teachers is a national problem which my Ministry is addressing. The Ministry intends to employ an additional 6,000 teachers in the next financial year and at the same time will continue replacing teachers who leave the service through natural attrition.	
67.	6 <sup>th</sup> May, 2009	EDUCATION	QUESTION NO.008 EDUCATION	ANALYSIS OF TEACHERS HIRED /RETIRED IN MURANG'A SOUTH DISTRICT	HON. J.I. KAMAU	HON. MWATELA		.....the concern raised by the hon. Member is genuine. As I have said, the Ministry will try all means possible to replace all the teachers who leave the service through retirement or otherwise. I agree with the hon. Member that it is the responsibility of the Ministry to ensure that teachers are replaced. We will definitely address that problem	
68.	4 <sup>th</sup> Feb, 2009	ENERGY	QUESTION NO.607 ENERGY	ELECTRIFICATION OF MUSENGO AND MUTHALE WATER PROJECTS	HON. NYAMAI	HON. KETER		The transformer and power meter to Musengo Water and Sanitation Project will be installed before the end of this month. subject to the confirmation that the internal wiring has been finalized	
69.	10 <sup>th</sup> Feb, 2009	ENERGY	QUESTION NO.594	SUPPLY OF ELECTRICITY TO MAVINDINI HEALTH CENTRE	HON. KIILU	HON. KETER		Mavindini Health Centre is not in the list of priority projects to be funded this financial year. However, we have sent it for survey so that we can know the costing. It will be considered in the next financial year. 2009/2010.	

70.	26 <sup>th</sup> Aug. 2009	ENERGY	QUESTION NO.387	STALLING OF KAPTILDIL/KARLE L ELECTRICITY PROJECT	HON. LAGAT	HON. KETER	have been personally to the said project sometimes back. I want to assure the hon. Member that the poles which were taken away were not the right sizes for that project. I want to given an assurance that this financial year commencing September. the remaining part of the project will be completed. I want to give him that assurance.
71.	17 <sup>th</sup> June. 2009	ENERGY	QUESTION BY PRIVATE NOTICE	POWER BLACK OUTS IN MARSABIT TOWN	HON. CHACHU:	HON. ENG. MAHAMMUD	I acknowledge the problem in Marsabit. Instead of waiting for a new generator to be procured for the town. we are installing another generator which had been procured for another place. I hope that by the end of next week, it should be in place  I will ensure that by the end of this week, the old generator will be repaired and, in the next one week or so, we will have the new generator in place
72.	9 <sup>th</sup> Dec. 2009	ENERGY	QUESTION NO. 304	SUPPLY OF ELECTRICITY TO INSTITUTIONS IN MORPUS	HON. ETHURO ON BEHALF OF HON. LITOLE	HON. KETER	I want to assure the hon. Member that we are working on that. We are providing the areas that are off grid with solar systems. For Lodwar, we are going to work on that.
73.	13 <sup>th</sup> May, 2009	LANDS	QUESTION NO.033	NON-ISSUANCE OF GREEN CARDS TO KINALE SETTLEMENT SCHEME LAND OWNERS	HON.MR. NJUGUNA	HON. RAI	Ministry in the process of computerizing its system to ensure that there is no double allocation.
74.	15 <sup>th</sup> Sep. 2009	LANDS	PRIVATE NOTICE	ILLEGAL ACQUISITION OF PUBLIC PLOT ALONG MOMBASA ROAD	HON. KHALWALE	HON. ORENGO	I can give that assurance that, once I have the name and the circumstances which clearly establishes the fact that an offence has been committed. I will take the appropriate action.
75.	10 <sup>th</sup> Dec. 2009	LANDS	QUESTION NO.488	IRREGULAR ALLOCATION OF LAND INTENDED	HON. GITAU	HON. RAI	My Ministry will liaise with the Ministry of Local Government, and the Provincial Administration, so as to stop any illegal activity on the plot in question.

76.	10 <sup>th</sup> Dec. 2009	LANDS	QUESTION NO.514 (LANDS)	FOR DISTRICT HEADQUARTERS	HON. THUO THUO	HON. RAI	<p>My Ministry, through the Department of Physical Planning, is in the process of preparing a part development plan for the three areas occupied by squatters, namely, Central Business District (CBD) area, Wendano area and Mukinike area. Once the development plans are completed and approved by the Minister, they will be used as the basis of legalising the settlement scheme.</p> <p>I had actually intimated to the hon. Questioner that by the end of March, 2009, the development plan will be ready, so that it can, at least, be approved by the Minister.</p>
77.	5 <sup>th</sup> Feb. 2009	REGION- AL DEVELOP- MENT	QUESTION NO.271	FATE OF STALLED LBDA HEADQUARTERS PROJECT	HON. CHANZU	HON.KATOO OLE METITO	<p>The Lake Basin Development Authority can actually get back that money if the BOT system is used. So, it is a good proposal and I promise the hon. Member, that we are going to explore it.</p>
78.	19 <sup>th</sup> May, 2009	REGION- AL DEVELOP- MENT	QUESTION NO.069	CONSTRUCTION OF WATER PANS/DAMS/ BOREHOLES IN SAMBURU EAST	HON. LETIMALO	HON. OLE METITO.	<p>The Ewaso Ngiro North Development Authority (ENDA) is in the process of undertaking the construction of 12 water pans, one small dam, and three boreholes in Samburu East District in the current financial year.</p>
79.	21 <sup>st</sup> July 2009	REGION- AL DEVELOP- MENT	QUESTION BY PRIVATE NOTICE	WITHHOLDING OF TARDA EMPLOYEES' SALARIES	HON. MUNGATA NA	HON. GUMO	<p>I would like to assure the hon. Member that, as the Minister responsible for this particular regional body, I will make sure that the majority of the people who will work in this particular scheme will come from the local area, so that we do not have to transport people from other areas to that place. In order for this scheme to succeed, we need to use the local people.</p>
80.	26 <sup>th</sup> Aug	REGION- AL	QUESTION NO.282	CRITERIA FOR ESTABLISHING REGIONAL	HON. OMBUI	HON. OLE METITO	<p>We would like to set up a rice project within the District. The climate has been found to be conducive and a demonstration has already been done. We hope that with the proposed budget, we are going to undertake that rice project within</p>

		DEVELOPMENT		DEVELOPMENT AUTHORITIES						
81.	28 <sup>th</sup> Jan. 2009	LIVESTOCK DEVELOPMENT	QUESTION NO.353	PROVISION OF ACARICIDES TO LIVESTOCK FARMERS	HON. MBAU	HON. DUALE	Nyamira North District.	I want to assure the hon. Member that we have not recruited veterinary staff for the last 20 years but this year, and in particular this month, the Public Service Commission is recruiting 600 technical officers out of which 100 are veterinary surgeons.		
82.	5 <sup>th</sup> May. 2009	LIVESTOCK DEVELOPMENT	QUESTIONS BY PRIVATE NOTICE	EXISTENCE OF LIVESTOCK QUARANTINE LINE IN NORTHERN KENYA	HON. LEKUTON	HON. KUTI		At the moment, northern Kenya, as a region, has not achieved the free-status, as defined by OIE for the other three major trade sensitive diseases. It is, therefore, not considered a disease-free zone. My Ministry is in the process of establishing two disease-free zones at the Coast and in Laikipia/Isiolo Complex in the mid-term period of 2008-2012. In the Vision 2030 Programme, we intend to have a total of five such disease-free zones.		
83.	29 <sup>th</sup> July, 2009	LIVESTOCK DEVELOPMENT	QUESTION NO. 092	NON-AVAILABILITY OF AI SERVICES IN MARAKWET	HON. KAINO	HON. DUALE		I want to assure the hon. Member that the Department of Veterinary Service, through the district veterinary officer, is providing the AI service.		
84.	16 <sup>th</sup> Sep. 2009	LIVESTOCK DEVELOPMENT	QUESTION NO.259	STATUS OF CENTRAL ARTIFICIAL INSEMINATION SERVICES	HON. MUTUTHO	HON. DUALE		We are going to import 15 per cent to cover the shortfall.  We are working with farmers on the ground. So, we will take all that into consideration.		
85.	21 <sup>st</sup> Jan. 2009	YOUTH AFFAIRS	QUESTION NO. 521	FACILITIES / STAFF FOR KATITO/ ACHIEGO YOUTH POLYTECHNIC	HON. OCHIENG	HON. KABANDO WA KABANDO		Ministry is committed to the rehabilitation of youth polytechnics countrywide. In an effort to address this in Nyakach Constituency, the Ministry is constructing a twin-block workshop at a cost of Kshs4,791,551 at Achego Youth Polytechnic. The completion of the project is expected soon as the contractor		

							gives the final report.
86.	28 <sup>th</sup> Jan, 2009	YOUTH AFFAIRS	QUESTION NO.564	ADJUSTMENT/LEGAL DEFINITION OF "YOUTH"	HON. KIEMA KILONZO	HON. KABANDÓ WA KABANDO	I want to assure this House that in terms of taking serious considerations and measures that will incorporate young people below 18 years to benefit from the YEDF and specifically the constituency component of that Fund; we have taken that concrete step so that these young people, most of whom maybe in secondary school or just after completing primary school and form four, can join other youth who by the Kenyan law are in the age of majority and by law permitted to enter into a contract so that they can benefit from that being together.
87.	16 <sup>th</sup> Sep, 2009	YOUTH AFFAIRS	QUESTION NO.336	STATUS OF HOLA-GARSEN ROAD PROJECT	HON. MUNGATA NA	HON. SAMBILI	<p>I want to assure the hon. Member that, really, the National Youth Service (NYS) did not have enough equipment. But now that we are going to get equipment as early as next month or towards the end of this year, we will be able to complete this road within the specified time of 36 months.</p> <p>These people are committed and I want to assure the hon. Member that this road will be done and the people of Tana Delta will not regret.</p> <p>I want to confirm that we, in the Ministry of Youth Affairs and Sports, actually have decided to go there this coming week to confirm for ourselves.</p> <p>I also want to confirm to the hon. Member that seriousness is being exercised.</p>
88.	4 <sup>th</sup> Feb. 2009	TRANSPOR T	QUESTION NO.133	GOVERNMENT INTERVENTION TO ENSURE COMPETITIVE OPERATIONS BY KENYA AIRWAYS	HON. LEKUTON	HON. MWAU ASSIS. MINISTER TRANSPORT	Ministry is in the process of trying to separate these two departures, so that we can meet the internationally required status.

89.	18 <sup>th</sup> Aug. 2009	TRANSPORT	QUESTIONS BY PRIVATE NOTICE	BREAKDOWN OF PILOT BOAT AT MOMBASA PORT	HON. CHANZU	HON. M'WAU	The Kenya Ports Authority has ordered a new set of generators to replace the faulty ones on the pilot boats. It is also budgeting for the acquisition of additional new pilot boats.
90.	16 <sup>th</sup> Sep. 2009	TRANSPORT	QUESTION NO.420	NUMBER OF AIRSTRIPS IN THE MARA	HON. OLE LANKAS	HON. MWAKWERE	..the earliest that can be done will be in the 2010/2011 Financial Year. This is because we are already committed in this financial year.
91.	14 <sup>th</sup> May. 2009	FINANCE	QUESTION NO.085	DELAYED PAYMENT OF BENEFITS TO PSC/TSC RETIREES	HON. CHANZU	HON. KENYATTA	The Ministry of Finance has procured a modern Pensions Management Information System (PMIS) whose installation is ongoing and is expected to be fully operational by August, 2009. Subsequently, the period it takes to process the pension claims will be reduced from the current 38 days to 20 days by June, 2010.  I said that the system will be operational by August, 2009, and it will be fully implemented by June, 2010.
92.	28 <sup>th</sup> Jan. 2009	FISHERIES	QUESTION NO.425	INFESTATION OF LAKE TURKANA FISHERIES BY PARASITES	HON. ETHURO	HON. (DR.) OTUOMA	We are also looking at how to improve the infrastructure around the lake. During the stakeholders' meeting that is scheduled to take place towards the end of March this year, we will invite all the stakeholders. For example, those involved in the infrastructure and the provision of other services, so that we can adequately exploit the resources of Lake Turkana
93.	5 <sup>th</sup> Aug. 2009	FISHERIES	QUESTION NO.289 FISHERIES	STATUS OF FAZA ICE PLANT PROJECT	HON. S ABDALLA	HON. OTUOMA	....as I had said, the re-tendering for the mechanical bit was done earlier this year. We have factored in to ensure that before the close of this financial year this component, which the earlier contractor had supplied sub-standard equipment, is going to be finished. Actually, it is going to be finished before December.
94.	10 <sup>th</sup> Feb. 2009	INDUSTRIALIZATION	QUESTION NO.376	REVIVAL OF KISUMU COTTON MILLS	HON. CHANZU	HON. MURIITHI ASS. MINISTER	I want to assure the hon. Member and the House that we are talking to the entrepreneurs who bought KICOMI with a view to encouraging them to revive this very significant industry.  The Board is in place, while the process of recruiting the Chief

							Executive Officer and other staff members for the day-to-day running of the CDA is ongoing. So, I believe that this entity will be fully operational within the current financial year.
95.	27 <sup>th</sup> May, 2009	INDUSTRIALIZATION	QUESTION NO.120	ESTABLISHMENT OF FISH/LEATHER INDUSTRIES IN NYATIKE	HON. ANYANGA	HON. KOSGEY	I expect that around October/November subject to issues from the Treasury, we will start the actual building of this demonstration factory. In future, we would like businessmen to come and learn from what we put up, so that they can set up their own factories. We, as a Government, want to go into building of industries. We want to put up something like what we have in Kisumu and what we want to do in Sori, so that investors can actually see. We have a programme called Private Sector Development Strategy through which we want to attract investors who may want to partner with us. This is being worked out under the Public/Private Sector Partnership. A law will come to this House, so that investors, particularly locals, can invest their money and we will pull out as Government.
96.	24 <sup>th</sup> Feb, 2009	PUBLIC HEALTH & SANITATION	QUESTIONS BY PRIVATE NOTICE	CAUSE OF DEATH OF EXPECTANT MOTHERS IN TURBI LOCATION	HON. CHACHU	HON.DR. GESAMI ASS. MINISTER PUBLIC HEALTH AND SANITATION	...let me assure the hon. Member that we are in the process of recruiting staff through the Public Service Commission (PSC). As soon as we recruit them, we will post a clinical officer to that health centre. Secondly, due to financial constraints, we are unable to get an ambulance for the health centre this year, but we will provide an ambulance to the health centre in the next financial year.
97.	14 <sup>th</sup> May, 2009	PUBLIC HEALTH & SANITATION	QUESTION NO.028	CONSTRUCTION OF FULLY-FLEDGED GOVERNMENT CHEMIST COMPLEX IN KISUMU	HON. OLAGO	HON.DR. GESAMI	My Ministry has plans to build a fully-fledged and equipped Government Chemist Complex at Kisumu in the next Financial Year 2009/2010.  I want to assure this House that, if the Treasury gives us that money, we shall start construction works immediately in the next financial year.
98.	20 <sup>th</sup> Jan, 2009	DEFENCE	QUESTION NO.416	INTERFERENCE WITH GRAZING AREAS IN UASO DIVISION	HON. LETIMALO	HON. M.Y. HAJI	I know the problems of water in Samburu. We will do everything to help.

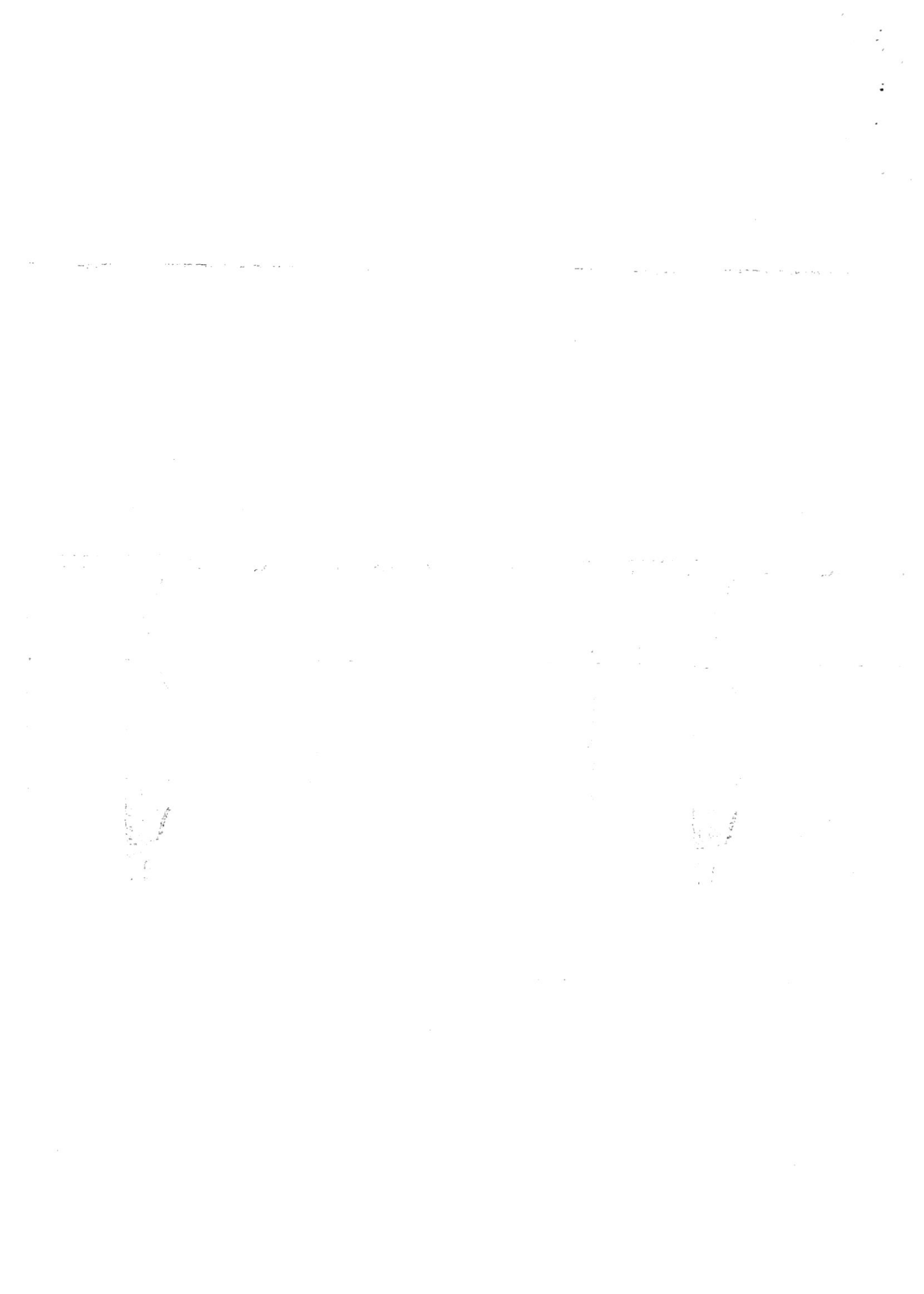
99.	27 <sup>th</sup> May, 2009	DEFENCE	QUESTION NO.053	TABLING OF LIST OF ARMY RECRUITS FROM NAROK SOUTH DISTRICT	HON. OLE LANKAS	HON. MUSILA	I want to assure Mr. Ole Lankas that, that has been noted and we will ensure that in future, before any officer starts recruiting, he will have been made aware of the percentages of population in a district so that in recruiting for whatever slots are made available, they will be shared proportionately to the population of the people resident in that district. That will not only be in Narok South, but throughout the country. I want to assure this House that, in future, we will do that.		
100.	20 <sup>th</sup> Jan, 2009	PUBLIC WORKS	QUESTION NO. 605	REHABILITATION OF KERUGOYA - KUFUS - KARATINA ROAD	HON. KARIUKI	HON. OBURE	The contractor is expected to be on site in the middle of February. He is expected to undertake the works and complete them within a period of six months.		
101.	12 <sup>th</sup> Feb, 2009	IMMIGR- ATION	QUESTION NO.615	ESTABLISHMENT OF PASSPORT OFFICE IN NORTH EASTERN PROVINCE	HON. ABDIRAH MAN	HON.BAYA IMMIGRATIO N	My Ministry will upgrade the current Immigration Office at Garissa to enable it issue passports before the end of the current financial year.		
102.	19 <sup>th</sup> Feb, 2009	ENVIRO- MENT	QUESTION 5 BY PRIVATE NOTICE	EXPOSURE OF NDUNI RESIDENTS TO TOXIC WASTE MATERIALS	HON. MWATHI	HON. KIPTANUI ASS. MINISTER AND NATURAL RESOURCES	Ass Minister promised the member that he would pay a visit to his Constituency to assess situation.		
103.	21 <sup>st</sup> May, 2009	PLANNIN- G, NATIO- NAL DEVELOP- MENT AND VISION 2030	MINISTERI- AL POPULATION AND HOUSING CENSUS	THE 2009 KENYA N/A	HON. OPARANYA		We are planning to do a poverty survey immediately after the census, so that by August 2010, we can have both the a census figure and the poverty levels in each area.		



105.	19 <sup>th</sup> Aug. 2009	JUSTICE & NATION- AL COHESIO- N	QUESTION NO.260	ESTABLISHMENT OF COURT SERVICES IN MBITA/ SUBA DISTRICT HEADQUARTERS	HON. MILLIE ODHIAMB O	HON. CHEPTUMO	The Government appreciates that Suba and Mbita districts are in need of court services. The Judiciary is currently considering constructing a law court at Mbita Trading Centre, the district headquarters of Mbita district. The judiciary will consider constructing a law court in Suba District. Headquarters as soon as land for that purpose is allocated and funding secured.
106.	19 <sup>th</sup> Aug. 2009	CO- OPERATI- VE DEVELOP- MENT & MARKETI- NG	QUESTION NO.270	CLOSURE OF KIRINYAGA CO- OPERATIVE UNION BANK SECTION	HON. KARUA	HON. KILIMO	The Ministry has advised and recommended to the union to carry out an investigative audit, restructure itself and shed off the loss making activities to make it economically viable.  The Ministry has also given the union a no-objection on the co-operative union's management plans to dispose some of its assets to pay off customers deposits. The cooperative union has already invited bidders for the sale of the union's assets to improve the liquidity of the co-operative union. The Ministry will continue to monitor and guide the society, so that it can resume its business operations.
107.	20 <sup>th</sup> Aug. 2009	FORESTRY & WILDLIFE COSERVATION	QUESTION S BY PRIVATE NOTICE	STALLING OF MT. KENYA ELECTRIC FENCING PROJECT	HON. WARUGO NGO	HON. NANOK	My Ministry will soon convene a meeting of the parties concerned to resolve the dispute to enable the project to proceed  ..the issue of the electric fence around Mt. Kenya has taken quite some time. Since the hon. Member has brought this matter to our attention, within three months time, we will resolve it. The KWS wanted the electric fence to be put at the edge of the plantation forest while NEMA wanted it to be put just after the indigenous forest because elephants were also destroying the plantation forest.  We will resolve this matter in the next couple of weeks. Funds are available and that fence should be ready for construction within the next three months.
108.	16 <sup>th</sup> Sep. 2009	INFORM- ATION & COMMUNICATIO-	QUESTION NO.403	PROVISION OF MOBILE TELEPHONE	HON. CHACHU	HON. GODHANA	We are now in the process of rolling out the programmes.

109.	10 <sup>th</sup> Feb. 2009	N	SPECIAL PROGRA- MMES	QUESTION BY PRIVATE NOTICE	SERVICES IN NORTH HORN	SUPPLY OF FAMINE RELIEF TO MURANG'A SOUTH DISTRICT	HON. JAMLECK KAMAU	HON. M. M. ALI	<p>Like many parts of this country, Murang'a South District has been getting support from the Government through relief. It will continue to get relief support from the Government. As far as the current situation is concerned, there is a multi-sectoral team that normally goes round the country to assess the food situation in various parts of our country. This is going on. If this team has not yet reached Murang'a South District, it will be there any time. By the end of this month, we are set to get the report from them, so that we can know the exact status of the district</p> <p>if my colleague, the hon. Member, was listening carefully, I just explained that twice: that every year, we have a multi-sectoral team that goes round the country to assess the food situation in every district. This team comprises of Government officials and other United Nations Agencies, including the World Food Programme. Based on their assessment, we now look at the population according to their recommendations. We then provide relief food on the strength of their recommendations. The team is currently conducting the assessment of food situation in various parts of the country. By the end of this month, we expect a full report.</p>
110.	16 <sup>th</sup> Sep. 2009		SPECIAL PROGRA- MMES	QUESTION NO. 308	RESETTLEMENT/ COMPENSATION OF IDPS IN GARISSA		HON. NOOR	HON. ALI	<p>The current Fund which we are using to resettle the IDPs was created through a Gazette Notice by the Minister for Finance and it is strictly for the IDPs who were displaced by the post election violence. We have, however, communicated to the Minister and we are in the process of having discussions such that the same Gazette Notice may be amended to accommodate other IDPs across the country so that they can as well be resettled.</p>
111.	9 <sup>th</sup> Dec. 2009		NATION- AL HERITAGE	QUESTION NO. 442	GAZETTMENT OF HISTORICAL SITES FOR PROTECTION IN NORTH EASTERN		HON. AFFEY	HON. NTIMAMA	<p>I can assure him that if the community, the Government and the experts in the Ministry of Heritage and Culture establish that this is an important monument for the nation, we will do our best to try and gazette and protect it from being grabbed by some land grabbers.</p>

				PROVINCE			
112.	23 <sup>rd</sup> June. 2009	HOUSING	QUESTION NO.015	INCREASE IN HOUSING PROPERTY PRICES	HON. LEKUTON	HON. SHITANDA	My Ministry is in the process of making changes to the Building Code



Appendix 1 cont'd

GOVERNMENT ASSURANCES/ UNDERTAKINGS JANUARY UPTO JUNE 2010

<u>NO</u>	<u>DATE</u>	<u>MINISTRY</u>	<u>QUESTION NO.</u>	<u>SUBJECT</u>	<u>ASKED BY</u>	<u>ANSWERED BY</u>	<u>ASSURANCE</u>
1.	3 <sup>RD</sup> MARCH, 2010	INTERNAL SECURITY	QUESTION NO. 074	CENTRALIZATION OF ISSUANCE OF CERTIFICATE OF GOOD CONDUCT	HON. CHANZU	HON. OJODE (Ass. Minister)	Automation Palm and Fingerprint Identification System (APFIS) project .....this particular project will be completed by 30th June, 2010
2.	10 <sup>TH</sup> MARCH, 2010	INTERNAL SECURITY	MINISTERIAL STATEMENT	STATUS OF DISARMAMENT EXERCISE IN THE COUNTRY	HON. ETHURO	HON. OJODE (Ass. Minister)	I want to make this assurance to the whole country: those areas where we have disarmed people there will be enough security personnel. I would also want my colleagues to help in the exercise so that we mop up---  As I have indicated earlier, we are not just going to disarm in those areas. After finishing with Upper Eastern and North Rift, we will also come back to Nairobi. Even within Nairobi.  I would want to assure this House that whoever has got any illegal ammunition will be arrested.

3.	10 <sup>TH</sup> MARCH, 2010	INTERNAL SECURITY	QUESTION BY PRIVATE NOTICE	KILLING OF MESSRS. ALFRED SULULU/ RONALD KIPRONO	HON. WAMAL- WA	HON. OJODE (Ass. Minister)	<p>I assure this House and the whole country that reforms are underway and we will eliminate the officers who misuse firearms</p> <p>It is not a question of when: investigations are in high gear and wherever the investigations report comes out we are going to arrest and arraign the fellows in a court of law.</p>
4.	14 <sup>TH</sup> APRIL, 2010	INTERNAL SECURITY	QUESTION BY PRIVATE NOTICE	MURDER OF THREE FAMILY MEMBERS IN KURESOI DISTRICT	HON. Z. CHERUIY- OT	HON. OJODE (Ass. Minister)	<p>Six suspects have, so far, been arrested and they will be arraigned before court soon.</p> <p>Given a week from today, we will come up with a list of three more suspects whom we are zeroing in on.</p> <p>The presence of police will be felt within that area.</p> <p>I want to assure the people of Kuresoi that they should not have any fears. Within 200 metres they will, definitely, meet with a police officer</p>
5.	13 <sup>TH</sup> APRIL, 2010	INTERNAL SECURITY	MINISTERIAL STATEMENT	KILLING OF TWO PEOPLE IN WATAMU DURING EVICTION BY POLICE	HON. GIDEON MUNG'A- RO	HON. (PROF.) SAITOTI (Minister)	<p>I want to assure the House that the Government is in the process of thoroughly investigating the incident. Those found to have committed any offence, irrespective of their ranks.</p>

6.	14TH APRIL, 2010	INTERNAL SECURITY	QUESTION NO. 176	PROVISION OF PER DISTRICT DETAILS ON DISTRIBUTION OF KPRS	HON. (DR.) NUH	HON. OJODE (Ass. Minister)	Minister undertook to have the KPRs reimbursed whatever money they use when they are engaged in official duties.  We will recruit more KPRs and post them to the areas we are disarming people
7.	15TH APRIL, 2010	INTERNAL SECURITY	MINISTERIAL STATEMENT	MEASURES TAKEN ARREST DEALERS OF ILLCIT BREWS	HON. MBUGUA	HON. OJODE (Ass. Minister)	The Provincial Commissioners (PCs) and District Commissioners (DCs) have been instructed to ensure that these brews are eradicated within the next 100 days. This is a commitment my Ministry has undertaken.
8.	2ND MARCH, 2010	AGRICULTURE	QUESTION NO. 008	NON- PROVISION OF FREE SEEDS/FERTILIZERS TO NYATIKE DISTRICT	HON. ANY- ANGA	HON. NDAMBUKI (Ass. Minister)	Ministry of Agriculture has put down all the structures to ensure that the farmers of Nyatike can access those seeds. I want to assure him that by 15th March, 2010 My Ministry will provide Nyatike farmers, among other areas, with sufficient farm inputs conducive to the respective areas during the next planting season to boost food production in the area.

9.	9 <sup>TH</sup> MARCH, 2010	AGRICULTURE MINISTERIAL	STATEMENT OF MAIZE ON PURCHASE T'S POSITION GOVERNMENT	N/A	HON. RUTO (Minister)	<p>a) The Treasury has also undertaken to release an extra Kshs2.3 billion to enable the stimulus programme continue, especially in the irrigation schemes. It is important for me to also mention that the Government will be buying the maize at Kshs2.300 per bag, as has been done in the past. We intend, however, to review that price later this year.</p> <p>b) I want to assure Mr. Mungatana that when he goes home this weekend, he will find that all the maize that farmers will want to deliver to our depots will have been bought.</p> <p>c) The depots were opened across Eastern Province yesterday; the rest of the depots will be opened across Nyanza, Coast and in the South Rift by tomorrow and we will begin to process payments by the end of this month.</p> <p>d) I have already instructed the NCPB to accept the maize and ask the farmers to come and collect their money later in the week, when we have processed it. We do not have drying facilities in Eastern Province. The farmers will have to help us dry the maize, but we will ensure that whatever maize is made available to the NCPB is bought and relocated, so that we can create adequate space for any additional maize that will be bought.</p> <p>e) I want to assure hon. Members that we have already made adequate arrangements for both certified seeds and fertilizers to be made available everywhere in the country.</p> <p>f) ... I can assure this House that the fertilizer and seed are already available throughout our depots across the country; the fertilizer has been subsidized; it is now going to sell at Kshs2,000</p>
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10.	10 <sup>TH</sup> MARCH	AGRICULTURE	QUESTIONS BY PRIVATE NOTICE	MINISTRY'S PROPOSED RESTRUCTURING PLAN FOR NCPB	HON. (DR.)KONE S	HON. NDAMBUKI (Ass. Minister)	..... I would like to assure the hon. Member that nobody is going to be sent home just like that. Those who have worked will be compensated and paid their dues.
11.	15 <sup>TH</sup> APRIL, 2010	AGRICULTURE	QUESTION NO.104	PROHIBITION OF RAW NUTS EXPORTATION	HON. KARUA	HON. NDAMBUKI (Ass. Minister)	To table document showing that farmers were represented in the consultations and the recommendations therein (next week) To report to the House on the progress of the revitalization of the nut industry and formulation of National Nut Crop Industry Policy
12.	2 <sup>ND</sup> MARCH, 2010	ENERGY	QUESTION NO.002	NON-SUPPLY OF ELECTRICITY TO UPENDO/MALI VANI MARKETS	HON. KIILU	HON. KETER (Ass. Minister)	I want to assure the hon. Member that with the information which I have got in the last half-an-hour, these two projects will be done by next week.  I want to assure Hon. Ethuro and the House that most of the pending projects, either paid through CDF or the Exchequer, will be completed by this month.
13.	3 <sup>RD</sup> MARCH 2010	ENERGY	QUESTION NO.003	DESTRUCTION OF TRANSFORMERS THROUGH VANDALISM	HON. OTICHILLO	HON. KETER (Ass. Minister)	We have received transformers for 33KV and for 11KV. Therefore, I want to assure this House that within this month, most of the projects that were started last year and this year will be completed.
14.	4 <sup>TH</sup> MARCH, 2010	ENERGY	QUESTION NO.021	EXPLOITATION OF GEOTHERMAL POWER WITHIN BARINGO DISTRICT	HON. MWAITA	ENG. M.M. MAHAMUD (Ass. Minister)	We are currently in the process of buying drilling rigs for GDC. As soon as those rigs are put on board we will prioritise this field also.

15.	13 <sup>TH</sup> APRIL, 2010	ENERGY	QUESTIONS BY PRIVATE NOTICE	CAUSE OF ELECTRICITY POWER DISRUPTIONS IN MATUU	HON. C. KILONZO	ENG. M.M. MAHAMUD (Ass. Minister)	<p>My Ministry through the Kenya Power and Lighting Company (KPLC) is pursuing introduction of non-oil cooled transformers.</p> <p>In addition to this, a planned Kindaruma-Mwingi-Garissa 132KV line due for commissioning in the first half of 2012 will include a 132KV to 133KV transformation substation at Mwingi. Matuu will be connected to Mwingi sub-station in order to boost power supply. This is expected to increase supply capacity and provide stable and reliable power supply to Matuu and its environs.</p> <p>I said that we are planning a Kindaruma/Mwingi/Garissa 132 KV line. This is at a very advanced stage and is actually being funded by the World Bank.</p> <p>There will be a sub-station at Mwingi, which will also cover Matuu. I am sure with this, the power supply to Matuu will be stabilized.</p>
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16.	16 <sup>TH</sup> MARCH, 2010	ENERGY	QUESTIONS BY PRIVATE NOTICE	OVERCHARGING OF ELECTRICITY CONSUMERS BY KPLC	HON. C. KILONZO:	HON. KETER (Ass. Minister)	<p>.....we have invested on geothermal. The current capacity of geothermal is 167 megawatts. By the end of this year we are going to have additional 60 megawatts.</p> <p>This will lower the cost of electricity arising from the use of diesel plants. So, the situation is going to improve. By March, 2011, we will not be using emergency power which is 210 megawatts. So, the cost of electricity will drastically come down to about Kshs5 per megawatt per kilowatt, which will be okay.</p> <p>More importantly, you are all aware that our exploration of oil is on-going in Isiolo. They will complete the exercise by the end of next month and then we wait for the results.</p>
17.	2 <sup>ND</sup> MARCH, 2010	ROADS	QUESTION NO.013	DELAYED CONSTRUCTION OF KIBWEZI-KITUI ROAD	HON. NYAMAI	HON. MACHAGE (Ass. Minister)	<p>I expect the completion of the design works in six months time.</p> <p>...sure that we will implement this project this time.</p> <p>May I assure the House that my Ministry is serious about completing this project. All factors notwithstanding, we intend, at least, to complete this project before the end of this year.</p>
18.	15 APRIL, 2010	ROADS	QUESTION NO. 155	COMPENSATION TO FAMILY OF LATE SAMUEL KIVUITU NZIOKI	HON. KIILU	HON. MACHAGE (Ass. Minister)	<p>I undertake that once they do what is supposed to be done by them, I will assist and they will get their compensation the fastest possible.</p>

19.	8 <sup>TH</sup> JUNE 2010	ROADS	QUESTION NO. 017	UPGRADING OF ISIOLO- MODOGASHE ROAD	HON. BAHARI	HON. KINYANJUI (Ass. Minister)	I confirm that my Ministry has prioritized this road and will ensure that it is allocated funds as soon as they are available.
20.	9 <sup>TH</sup> MARCH, 2010	ENVIROME- NT & NATURAL RESOURCES	QUESTIONS BY PRIVATE NOTICE	DISPOSAL OF SEWAGE INTO HAMBITSI WATER SPRING BY MASENO UNIVERSITY	HON. (DR.)OTIC HILO	HON. KAJEMBE (Ass. Minister)	I want to assure this House that everything is under control and the management of Maseno University has assured us that they are undertaking a project to solve this problem.  Yes, we discussed with Maseno University regarding the streams. The timeframe for them to comply would be about four months.
21.	14 <sup>TH</sup> APRIL, 2010	ENVIROME- NT & NATURAL RESOURCES	QUESTION NO.042	DEGRADATIO N OF WETLAND AREAS IN NYAKACH	HON. OCHIENG	HON. KAJEMBE (Ass. Minister)	Let me assure this House that we are all out to rehabilitate the wetlands in Nyakach Constituency

22.	9 <sup>TH</sup> MARCH	PUBLIC HEALTH & SANITATIO- N	QUESTION NO.081	LACK OF ELECTRICITY SUPPLY TO KABIYET HEALTH CENTRE	HON. KOECH	HON.( DR.) GESAMI (Ass. Minister)	<p>Ministry intends to post additional staff before June, 2010</p> <p>My Ministry has addressed the shortage and the facility will continue to receive the health centre kit within the next one month.</p> <p>At the end of this month, all health facilities in the country will receive their kits.</p> <p>We have now received money from the Treasury and we shall procure these drugs and give them to the hospitals in the next one month.</p> <p>....we have employed about 700 nurses, whom we shall distribute countrywide from next month.</p> <p>....as soon as we get any new vehicles, Kabiyet Health Centre will be the first one to be provided with that facility</p> <p>....prepared to look into those cases because we want people to have easy access to health facilities. We want to ensure that referral facilities like the sub-district and district hospitals are not too far from health centres and dispensaries.</p>
23.	10 <sup>TH</sup> MARCH, 2010	PUBLIC HEALTH & SANITATIO- N	QUESTION NO. 040	CRITERIA FOR REGISTRATIO N OF DISPENSARIES	HON. NIYAMAI	HON. (DR.) GESAMI (Ass. Minister)	<p>Ministry is preparing a list of all the facilities which comply with the requirements for gazettement and they will be considered alongside others. But there are, of course, facilities from Kitui West that we have sent for gazettement and those ones will be out in the course of next week.</p> <p>But let me assure you that by 1st April, 2010, for those who have recruited, they will be in their positions in their constituencies.</p>

24.	9 <sup>TH</sup> MARCH, 2010	PLANNING, NATIONAL DEVELOPM- ENT & VISION 2030	QUESTION NO. 031	POSTING OF DISTRICT DEVELOPMEN- T OFFICER TO NYATIKE DISTRICT	HON. ANYANGA	HON. P. KENNETH (Ass. Minister)	....we hope that by July, 2010, Nyatike District will not rely on the services of the DDO in Migori because it will have its own.  Ministry is in the process of putting up resource centres for all DDOs in the country through a fund provided by African Development Bank (ADB). We expect that in the next financial year
25.	9 <sup>TH</sup> JUNE, 2010	PLANNING, NATIONAL DEVELOPM- ENT & VISION 2030	QUESTION NO. 173	NON- PAYMENT OF DUES OWED TO CENSUS ENUMERATOR S	HON. WAMALW A	HON. P. KENNETH (Ass. Minister)	We expect that conciliation and of all pending cases should be complete before the end of 30th of June 2010.  I have given an assurance here that whoever has not been be paid will be paid before the end of this month. I also gave an assurance to this House that we will release the census results by the end of August this year. If we get all these details, we should be able to sort out this issue.
26.	8 <sup>TH</sup> JUNE, 2010	PLANNING, NATIONAL DEVELOPM- ENT & VISION 2030	QUESTION BY PRIVATE NOTICE	FAILURE TO USE OFFICIAL POVERTY INDEX IN CDF DISBURSEMEN- T	HON. CHACHU	HON.P. KENNETH (Ass. Minister)	To release Census results in late August.

27.	9 <sup>TH</sup> MARCH, 2010	MEDICAL SERVICES	QUESTION NO. 073	UPGRADING OF INZARO/LYAN AGINGA/ VIHIGA HEALTH CENTRES	HON. CHANZU	HON. (PROF) NYONG'O (Minister)	<p>We are prepared to look into those cases because we want people to have easy access to health facilities. We want to ensure that referral facilities like the sub-district and district hospitals are not too far from health centres and dispensaries. So, regulations and guidelines are there. We have a policy that we should, at least, have a sub-district hospital in every constituency</p>
28.	11 <sup>TH</sup> MARCH, 2010	MEDICAL SERVICES	QUESTION NO. 088	SHARING OF WARD MALE/FEMALE PATIENTS IN IJARA DISTRICT HOSPITAL	HON. NOOR	HON.,(PROF) NYONG'O (Minister)	<p>The ward is due to be opened by June, 2010</p> <p>I assure the hon. Member that by the end of this month hospitals in Ijara District will have adequate medical supplies.</p> <p>I have said that my main aim is to ensure that every constituency has a sub-district hospital. So, it is our responsibility to look for the resources, not just from the Treasury but from development partners as well, to meet this goal. I assure the hon. Member that we will do our best to do that.</p>

29.	10 <sup>TH</sup> MARCH, 2010	EDUCATIO- N	QUESTION BY PRIVATE NOTICE	NON- DISBURSEMEN- T OF SECONDARY SCHOOL BURSARY FUNDS	HON. K. KILONZO	HON. (PROF.) ONGERI (Minister)	<ul style="list-style-type: none"> <li>disbursement of the first tranche of the constituency bursary funds for the Financial Year 2009/2010, amounting to Kshs239,454,263. The funds will be electronically transmitted to the respective constituency bursary fund accounts by 13th March, 2010.</li> <li>By 15th of March, 2010, we will have disbursed almost half of those funds. The balance will be disbursed before 30th June, this year for this academic year, before we go to the next financial year.</li> <li>Hon. Members, rest assured that the balance of the money will be released before 30th of June.</li> </ul>
30.	11 <sup>TH</sup> MARCH, 2010	EDUCATIO- N	MINISTERIAL STATEMENT	SHORTAGE OF TEACHERS IN PRIMARY AND SECONDARY SCHOOLS	HON. RUTO	HON. (PROF.) ONGERI (Minister)	<p>I have now strongly advised them that they should roll out an advertisement, which I promise this House--- Hon. Isaac has asked me if I am confirming it. Yes, I am confirming it to you. I can assure you that you will all be witnessing this announcement; it will be in the papers, there will be no favouritism; employment will go directly where acute shortage is.</p> <p>I will be coming back to this House when the Budget is tabled.</p>
31.	10 <sup>TH</sup> MARCH, 2010	FISHERIES DEVELOPM- ENT	QUESTIONS BY PRIVATE NOTICE	CAUSE OF DEATH OF FISH IN LAKE NAIVASHA	HON. OTICHILL- O	HON. (DR) OTUOMA (Minister)	<p>But there is some analysis that is still going on at the KEPHIS Laboratory, whose results are expected on Friday this week. On, I think on 11th of March. Of course, once those results come in, the technical team will be able to analyze them and give us the final results.</p>



32.	13TH APRIL, 2010	FISHERIES DEVELOP- MENT	QUESTION NO. 131	CHANNELING OF MUTITO FISH PONDS FUNDS THROUGH MACHAKOS DISTRICT.	HON. KIEMA KILONZO	HON. OTUOMA (Minister)	<p>we will be employing some fisheries officers very soon</p> <p>Regarding the issue of going round, as I had indicated earlier, we have already covered 66 constituencies and we will be covering the other constituencies. I have just run out of operation money but with this Supplementary Budget, I should be able to continue with that programme with the rest of the constituencies and Mutito will be one of them</p> <p>Already, as a Ministry, we have asked for a waiver from the Ministry of Finance on the liners. and we already have that waiver. So, anybody who has got that kind of problem can get in touch with me and we can see how best they can acquire the liners, on which the taxes have already been waived.</p> <p>So, the 140 constituencies were just the beginning. Immediately we finish that, we are going to roll out this programme throughout the country.</p> <p>I undertake to do that to make sure that my extension officers on the ground are able to disseminate proper information. I also undertake to talk to my colleague, hon. Kenyatta here, to see if there will be a possibility that in this kind of funding that we are going to get, we can consider the liners for the purposes of solving that problem.</p>
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33.	10 <sup>TH</sup> MARCH, 2010	LANDS	QUESTION NO. 079	NON- FUNCTIONAL LAND CONTROL BOARDS/LAND DISPUTES TRIBUNALS IN MAKUENI	HON. KIILU	HON. RAI (Ass. Minister)	<p>.... once my attention has been drawn on the wish of the allowances, I will address it. I can assure the hon. Member that money will be released.</p> <p>I undertake to do that. If there are any at the moment, once my attention has been drawn, I will try to address it. At the moment, I will also take up this issue with my officers to find out why this money has not been paid to the respective persons.</p>
34.	15 <sup>TH</sup> APRIL, 2010	LANDS	QUESTION NO.144	ISSUANCE OF ALLOTMENT LETTER TO MASINDE MULIRO UNIVERSITY	HON. CHANZU	HON. ORENGO (Minister)	<p>The Ministry is seeking ways of resolving the dispute amicably between Masinde Muliro University and Kakamega Rehabilitation School before issuing the letter of allotment.</p>
35.	10 <sup>TH</sup> MARCH, 2010	FOREIGN AFFAIRS	QUESTIONS BY PRIVATE NOTICE	NAMES OF KENYANS KILLED IN SOUTHERN SUDAN SINCE IMPLEMENTA- TION OF CPA	HON. KEYNAN	HON. ONYONKA (Ass. Minister)	<p>We will seek for compensation anytime a Kenyan will be injured or harmed in a foreign country. I promise the hon. Member that it will be done once we have followed all the modalities and legal issues.</p> <p>the easiest one is on Migingo Island. The Minister for Foreign Affairs will soon bring a report to this House to discuss what has transpired since Uganda and Kenya did the demarcation of the boundaries</p>

36.	23 <sup>TH</sup> MARCH, 2010	ROADS	QUESTION BY PRIVATE NOTICE	REPAIR OF KISIMA/LEKUR- U BRIDGE	HON. LETIMAL-O	HON.(DR.) MACHAGE (Ass. Minister)	The tunneling process has already commenced and the works are expected to begin in early April, 2010
37.	14 <sup>TH</sup> APRIL, 2010	ROADS	QUESTION NO.114	TARMACKING OF ISIOLO- MANDERA/GA RISSA MANDE- RA/ WAJIR- MOYALE	HON. KEYNAN	HON.(DR.) MACHAGE (Ass. Minister)	.....I give a firm undertaking that I am looking for funds to build these roads as soon as possible. (The Deputy Speaker directed that the question as to 'when exactly' the road will be done, to be put in the Order Paper of next week.)
38.	23 <sup>RD</sup> MARCH, 2010	LOCAL GOVERN- MENT	QUESTION NO. 136	NON- UTILIZATION OF FUNDS ALLOCATED FOR DEVELOP- MENT OF KIMUMU MARKET	HON. (PROF.) KAMAR	HON. NGUYAI (Ass. Minister)	The majority of the tenders should be awarded most likely by the end of April, 2010. The projects will commence from then on.  ..... the funds that were reduced were those for major markets which had not been started. However, all funds under the ESP are intact and all projects due will be carried out.
39.	15 <sup>TH</sup> APRIL, 2010	LOCAL GOVERN- MENT	QUESTION NO. 051	NON PAYMENT OF RETIREMENT BENEFITS TO FORMER EMPLOYEES OF NYANDO/KIS- UMU COUNTY COUNCIL	HON. OCHIENG	HON. NGUYAI (Ass. Minister)	We have taken action to ensure that they do remit the funds through the restructuring of those councils. In the meantime, we are focusing on ensuring that whatever funds are available to those councils, first, take care of the arrears that exist including the pensions. The two councils have been directed to pay within this financial year, 2009/2010

40.	10 <sup>TH</sup> MARCH. 2010	CO- OPERATIVE DEVELOP- MENT AND MARKETI- NG	QUESTION NO. 103	REDUCTION OF MILK PRICES BY THE NEW KCC	HON. KOECH	HON. NYAGA (Minister)	<p>Government has recognized milk as a strategic food product and it is in the process of creating strategic milk reserve. This will cushion the dairy farmers and processors. including New KCC. from erratic milk production trends</p> <p>We have, in fact, advertised the job and in the next few weeks weeks, Deloitte and Touche will be shortlisting the candidates. Thereafter, we shall appoint.</p> <p>The Government is doing all it can to ensure that the New KCC is stable.</p>
41.	8 <sup>TH</sup> JUNE. 2010	CO- OPERATIVE DEVELOP- MENT AND MARKETI- NG	QUESTION NO. 166	MEMBERS OF UNITO CO- OPERATIVE SOCIETY DECLARED REDUNDANT	HON. YAKUB	HON. KILIMO (Ass. Minister)	<p>Liquidator will complete the liquidation process by the end of Dec 2010.</p> <p>Share refunds to be not later than 31<sup>st</sup> Dec 2010</p>
42.	14 <sup>TH</sup> APRIL, 2010	GENDER & CHILDREN AFFAIRS	QUESTION NO.167	STATISTICS ON NUMBER/AGES OF STREET CHILDREN IN MOMBASA	HON.YAK UB	HON. KEYA (Ass. Minister)	<p>there are plans to carry out census of all street children in the country's major towns to establish their numbers. ages. gender and needs.</p> <p>Mr. Deputy Speaker. Sir, yes. I confirm that the Government will take serious action from now on.</p>

43.	8 <sup>TH</sup> JUNE, 2010	WATER & IRRIGATI- ON	QUESTIONS BY PRIVATE NOTICE	LACK WATER SUPPLY VIHIGA DISTRICT HOSPITAL	OF IN	HON. CHANZU	HON. KIUNJURI (Ass. Minister)	Undertook to investigate claims of mismanagement
44.	9 <sup>TH</sup> JUNE, 2010	WATER & IRRIGATI- ON	QUESTION NO.190	REPAIR OF ILENGENI DAM		HON. KIILU	HON. KIUNJURI (Ass. Minister)	The contractor has already commenced the repairs of the damaged section of the dam under the defects liability period. The works already done include:- (i) Repair of the damaged section. (ii) Expansion of the spiral base width. The contractor is still on site working on the eroded part of the spillway after which construction of No.3 concrete seals across the spillway will be done. The works are expected to be completed before the end of the financial year.
45.	3 <sup>RD</sup> MARCH, 2010	FORESTRY & WILDLIFE	QUESTION NO.016	CAUSE OF INCREASED ELEPHANT POACHING INCIDENTS IN THE COUNTRY		HON. CHACHU	HON. NANOK (Ass. Minister)	My Ministry, has undertaken to make sure that all efforts are put in place to curb the poaching of elephants.
46.	3 <sup>RD</sup> MARCH, 2010	LIVESTOCK DEVELOPM- ENT	QUESTION NO.033	LIST OF PROJECTS TO PROMOTE LIVESTOCK PRODUCTION IN KITUI WEST		HON. G. KILONZO ON BEHALF OF HON.NYA MAI	HON. DUALE (Ass. Minister)	That is where we are heading this year and all cattle dips in the country will be Functioning. I can assure this House that this year: we are coming with a definite policy on how to revamp cattle dips across all parts of the country.



Appendix 2

Petitions presented to the House

<u>No.</u>	<u>Petition</u>	<u>Date presented</u>	<u>Presented by</u>	<u>Referred to</u>
1.	Petition by the Mau Mau war veterans	19/2/2009	Hon. Eugene Wamalwa	Departmental Committee on Justice and Legal Affairs
2.	Petition by albinism society of Kenya	6/8/2009	Hon. Eugene Wamalwa	Departmental Committee on Justice and Legal Affairs
3.	Petition by the Mau Forest Complex eviction victims	18/6/2009	Hon. Isaac Ruto	Departmental Committee on Justice and Legal Affairs.
4.	Petition on grant by G.O.K to Pyrethrum Board of Kenya	16/12/2010	Hon. Boaz Kaino	Ministry of Agriculture
5.	Petition seeking an apology and payment of compensation for the unlawful arrest and detention of Hon. Joseph Martin Shikuku and Hon. Jean Marie Seroney	12/5/2011	Hon. John Mututho	Ministry of State for Provincial Administration and Internal Security

6.	Petition by the Kiboroo Squatters Alliance	30/03/2010	Hon. Boni Khalwale	Departmental Committee on Lands and Natural Resources
7.	Petition by the 1992/97 tribal clashes victims/ IDPs for resettlement and compensation	16/12/2010	Hon. Eugene Wamalwa	Select Committee on IDPs.
8.	Citizens' plea to Parliament to adopt draft Constitution without amendments	31/3/2010	Hon. Martha Karua	Parliamentary Select Committee on Constitutional Review
9.	Petition by sugar cane farmers, stakeholders and residents of Busia County in Western Kenya	24/11/ 2011	Hon Chris Okemo	Departmental Committee on Agriculture, Livestock and Cooperatives & Departmental Committee on Lands and Natural Resources.
10.	Petition by KIKAKO Welfare Association on the irregular allocation of compulsorily acquired land to private developers by the Kisumu Municipal Council	19/5/2011	Hon. Olago Oluoch	Departmental Committee on Lands and Natural Resources
11.	Petition on the harvesting of exotic trees for building of dormitories, laboratories and classrooms in six schools in Marakwet West Constituency	12/5/2011	Hon. Boaz Kaino	Departmental Committee on Lands and Natural Resources



12.	Petition to the Ministry of Finance to release Kshs. 635,532,000 allocated for the relocation of institutions displaced by the construction of Moiben – Chebara dam to the Moiben Chebara Dam compensation account of Chebara Secondary School	12/5/2011	Hon. Boaz Kaino	Office of the Deputy Prime Minister and Ministry of Finance
13.	Petition seeking affirmation on the ownership and management of the Agha Khan Primary School, Nairobi as a Public School	23/3/2011	Hon. Jeremiah Kioni	Departmental Committee on Education, Research and Technology
14.	Petition to parliament on the urgent need for intervention on the state of healthcare in the Republic of Kenya	1/12/2011	Hon. Robert Monda	Ministry of Medical Services



## RESOLUTIONS/ MOTIONS ADOPTED BY THE HOUSE

O.	MOTION DESCRIPTION	DATE ADOPTED	MINISTRY & MOVER	DATE SENT	STATUS	DATE REPORT TABLED
	<p>THAT. aware of the need for reforms in all Government institutions, including the Cabinet, in order to enhance good governance, this House urges the Government to facilitate induction and training on financial and resource management for all Ministers, Assistant Ministers and other Constitutional office holders.</p>	3/6/09	<p>Ministry of Public Service Hon. Mungatana</p>	13/5/2010	responded	22/06/2010
	<p>THAT. being aware of the serious problem of squatters and landlessness in Kenya today, and lack of a clear policy and legal framework to deal with the same, considering the efforts made by the Government so far in settling some squatters on various farms in certain parts of the country without a clear criteria or structures to guide the process, appreciating the need to establish a fund to facilitate a continuous squatter settlement process with proper structures and criteria for identification of genuine squatters countrywide and suitable land for acquisition and settlement in an open, transparent and consultative manner; this House urges the Government to establish a fund under the Government Financial Management Act, (No.5 of 2004), to be known as the "Squatters Settlement Fund" for the purposes of continuous</p>	27/5/09	<p>Finance Hon. Wamalwa</p>	13/5/2010	responded	

<p>3. squatter settlement, and for matters incidental thereto and connected therewith.</p> <p>THAT, acknowledging the fact that demand for electricity in this country far outstrips supply; further aware that small hydro-power generation plants can be used to supplement the Government's effort to provide electricity to its citizens and encourage establishment of cottage industries through lower electricity costs; cognizant that the western part of Kenya is endowed with rivers such as the Nzoia, Yala, Aror, Wei Wei, Moiben, Chepkaitit, Kapteitit and others; this House urges the Government to establish small hydro-power generation plants on these rivers to supplement the supply of electricity to the national grid.</p>	<p>29/7/09</p>	<p>Energy Hon. Yusuf Chanzu</p>	<p>13/5/2010</p>	<p>responded</p>	<p>23/06/2010</p>
<p>4. THAT, this House adopts the Report of the joint committee on Finance, Planning and Trade and the Budget Committee on the discrepancies in the Supplementary Estimates for the Financial Year 2008/2009 laid on the Table of the House on Wednesday 13<sup>th</sup> May, 2009.</p>	<p>13/5/09</p>	<p>Finance Hon. Okemo</p>	<p>13/5/2010</p>	<p>Not responded</p>	
<p>5. THAT, aware that in the recruiting of officers into the disciplined forces, the following apply:- Armed forces – 5 feet 3 inches for both men and women, regular police -5 feet 9 inches for policewomen and in the Administration police, 5 feet 8 inches for men and 5 feet and 3 inches for women; and concerned that this requirement is discriminative and is not within the legal framework; this House urges the Government to dispense with this requirement in order to allow for equal opportunities of recruitment to all Kenyans who meet other minimum requirements.</p>	<p>29/7/09</p>	<p>Provincial Administration Hon. Kioni</p>	<p>13/5/2010</p>	<p>responded</p>	

<p>THAT aware that Section 58(1) of the Constitution of Kenya provides that each Session of Parliament shall be held at such a place within Kenya and shall commence at such time as the President may appoint; considering the growing public urge and the need to take Parliament to the people; cognizant of the fact that Parliamentarians represent the aspirations of the entire country; conscious of the need for hon. Members to have a first hand account of the real regional development challenges and problems that local people are faced with on daily basis; this House urges the President to appoint venues for Sessions on rotational basis.</p>	<p>10/6/09</p>	<p>Justice and National cohesion and constitutional Affairs Hon. Affey</p>	<p>17/5/2010</p>	<p>Matter not within the Ministry's mandate</p>
<p>THAT, this House adopts the Report of the Public Accounts Committee on the Government of Kenya accounts for the year 2004/2005 laid on the Table of the House on Wednesday, 10th June, 2009.</p>	<p>21/7/09</p>	<p>Finance Chairman PAC Hon. Boni</p>	<p>17/5/2010</p>	<p>Memorand a presented</p>
<p>THAT, aware that northern Kenya and other arid lands face perennial drought of a cyclic nature; mindful that this occasions severe negative economic, social and environmental effects; noting that currently responses to drought are reactive due to lack of proactive measures; concerned that the country lacks a legal framework designed to mitigate these problems; this House urges the Government to establish a Drought Management Authority responsible for drought preparedness and response, including forecasting, impact assessment and management policy, drought preparedness and mitigation.</p>	<p>22/7/09</p>	<p>Northern Kenya Development Hon. Chachu Ganya</p>	<p>17/5/2010</p>	<p>responded</p>

<p>9. THAT, acknowledging the good work performed by the Higher Education Loans Board (HELB) in providing loans to students in both public and private universities from poor background in order to access education; noting that higher education financing is a problem in most countries including the industrialized; appreciating that middle level technicians are key to industrial development; this House urges the government to enhance funding to HELB and further to widen the scope of its funding to include middle level colleges especially those offering technician certificates.</p>	<p>2/9/09</p>	<p>Higher Education Hon. Eseli</p>	<p>17/5/2010</p>	<p>responded</p>
<p>10. THAT, this House adopts the Sixteenth Report of the Public Investments Committee on the Accounts of State Corporations, laid on the Table of the House on Wednesday, 24th June, 2009</p>	<p>23/7/09</p>	<p>Finance Chairperson PIC Hon. Mithika Linturi</p>	<p>28/06/10 to respond by 2/07/10</p>	<p>responded</p>
<p>11. THAT, aware that children attending private academies in the country have continuously taken up most of the opportunities in prestigious national learning institutions and secured the most marketable courses in universities as a result of high quality education facilities; concerned that public schools lack requisite facilities and manpower to guarantee quality education for children; appreciating the need to improve education for children from poor backgrounds in order to achieve equity; this House urges the Government to increase the budgetary allocation to public primary and secondary schools for enhanced quality education.</p>	<p>10/06/09</p>	<p>Education Hon. Boaz Kaino</p>	<p>28/6/10 to respond by 2/07/10</p>	<p>responded</p>

	<p>THAT, this House adopts the report of the Departmental Committee on Administration, National Security and Local Authorities during its fact finding visit to the Nairobi City Council and the Lang'ata Women Prison on 24<sup>th</sup> October, 2008 and the Kamiti Maximum Security Prison on 4<sup>th</sup> December, 2008 laid on the Table of the House today, 3<sup>rd</sup> June 2009.</p>	3/6/09	<p>Local Government &amp; Home Affairs</p> <p>Chairman Departmental Committee</p>	28/6/10.to respond by 2/07/10	responded
	<p>THAT, considering that the country relies on rain-fed agriculture for food production; aware that rainfall is inadequate and unreliable; appreciating the need to ensure that all households can reliably and affordably access basic food items; aware that government has put in place measures to develop and revitalize various irrigation projects which had collapsed; this House resolves that the Ministry of Agriculture in collaboration with the Ministry of Water and Irrigation move to set up small holder irrigation schemes of at least 2,000 acres in all constituencies, where applicable, as to facilitate food crop production.</p>	9/6/2010	<p>Agriculture &amp; Water</p> <p>Hon. Boaz Kaino</p>	17/08/2010 to respond by 24/08/2010	<p>Ministry of Agriculture has responded</p> <p>Awaiting response from Ministry of Water &amp; Irrigation</p>
I.	<p>THAT, this House adopts the report of by the Departmental Committee on Health, Committee on Delegated Legislation and the Committee on Equal Opportunity on the appointment of the Director, Kenya Medical Training College, laid on the Table of the House on Thursday, April 15, 2010.</p>	9/6/2010	<p>Medical Services</p> <p>Hon. Amina Abdalla</p>	17/08/2010 to respond by 24/08/2010	responded

<p>15. THAT, aware that the minimum university entry requirement is a C+ attained at KCSE; concerned that there has been an exponential increase in students attaining the qualifying mark against stagnating capacities in public universities; alarmed at the continued drastic increase in cost of university education; this House urges the Government to balance the cost between the regular and parallel systems of university education in order to ensure equity and accord more students an opportunity to pursue education at that level while providing the institutions with sustainable sources of income.</p>	<p>21/7/2010</p>	<p>Higher Education, Science &amp; Technology Hon. Yusuf Chanzu</p>	<p>18/10/2010 to respond by 1/11/2010</p>	
<p>16. THAT, cognizant that when the colonialists came to this country they sponsored education whereby they played most of the roles such as provision of physical facilities, learning materials, teachers and the like; aware that at independence the government started playing a bigger role in provision of the facilities and services thereby diminishing the role of the so-called sponsors who were in most cases missionaries and that today those who play these roles are the government, the local community and leadership; this House urges the government to consider amending the regulations governing nominations of Boards of Governors for public secondary schools such that community representation and special interest are</p>	<p>21/7/2010</p>	<p>Education Hon. Yusuf Chanzu</p>	<p>13/10/2010 to respond by 27/10/2010</p>	<p>Responded through a letter</p>



<p>each increased from 3 to 4 and sponsor representation be reduced from 4 to 2 in order that the role played by each group is commensurate with the role played in the provision of physical facilities, learning materials and the teaching staff.</p>					
<p>THAT, this House adopts the Report of the Joint sittings of the Committees of Public Accounts and the Departmental Committee on Health which were charged with investigation in the procurement of medical goods and equipment for the Ministry of Medical Services by a company known by the name of Dol International Limited and associated companies in the year 2006, laid on the Table of the House on Tuesday, July 13, 2010.</p>	<p>14<sup>th</sup> July, 2010</p>	<p>Medical Services Hon. (Dr.) Bonil Khalwale</p>	<p>13/10/2010 to respond by 27/10/2010</p>	<p>Has not responded</p>	

18	THAT, aware that the minimum university entry requirement is a C+ attained at KCSE; concerned that there has been an exponential increase in students attaining the qualifying mark against stagnating capacities in public universities; alarmed at the continued drastic increase in cost of university education; this House urges the Government to balance the cost between the regular and parallel systems of university education in order to ensure equity and accord more students an opportunity to pursue education at that level while providing the institutions with sustainable sources of income.	21 <sup>st</sup> July, 2010	Hon. Yusuf Chanzu	Higher Edu.	To respond by 27 <sup>th</sup> October, 2010	not responded	
19.	THAT, this House adopts the Report of the Departmental Committee on Administration of Justice and National Security on its fact-finding visit to Samburu East and Isiolo North districts on from 21-23 September, 2009, laid on the Table of the House on Wednesday, August 11, 2010.	29/09/10	Internal security Chairperson, Departmental Committee on Administration and National Security Hon. Kapondi	Not responded	To respond by 1/03/11	Not responded	
20.	THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the appointment of the Director-General of the Public Procurement Oversight Authority laid on the Table of the House on Wednesday 27th October, 2010.	3/11/10	Finance Hon. Kaloki	responded	To respond by 1/03/11	Report not tabled	

1.	THAT. this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on the Inquiry into Allegations of Mismanagement at the Harambee Sacco Society Limited laid on the Table today, Thursday, 4th November, 2010.	11/11/10	Cooperative Development Development Hon Mututho	22/02/2011  To respond by 1/03/11	responded	Report not tabled
2.	THAT. this House adopts the Report of the Select Committee to Investigate the Root Causes of Cattle Rustling in Kenya laid on the Table today, Thursday, 4th November, 2010.	15/12/2010	Internal Security Hon. Kaino	22/2/2011  to respond by 1/03/11	responded	Report not tabled
3.	THAT. aware that the power to establish water service boards vests in the Minister for Water and Irrigation; concerned that the entire North Rift, inhabited by millions of people residing in urban centres such as Eldoret Municipality and semi-urban and rural areas, is currently served by a single water board; aware of the need to have an efficient and effective water service delivery and management all over the country; this House urges the Government to establish two water service boards in the North Rift in order to take services closer to the people.	1/12/2010	Water and Irrigation Hon. Kaino	22/2/2011  to respond by 1/03/11	responded	Report not tabled
4.	THAT. this House adopts the Report of the Committee on Energy, Communications & Information on the Appointments of the Kenya Broadcasting Corporation Board of Directors laid on the Table of the House on Thursday 18th November, 2010.	15/12/2010	Hon. Maina Kamau	22/2/2011  to respond by 1/03/11	Requested for more time to reconstitute the board	

25.	<p>THAT, this House adopts the Report of the Joint Session of the Departmental Committees on Administration, National Security and Local Authorities and Administration of Justice and Legal Affairs on the investigation into the conduct of the "Arthur Brothers" and their Associates, laid on the Table of the House on Wednesday, 24th November, 2010.</p>	8/12/2010	Internal Security Hon. Gitobu	10/03/11 To respond by 17/3/2011	Not responded
26.	<p>THAT, this House adopts the Report of the Departmental Committee on Finance, Planning, and Trade on the petition on Charterhouse Bank Limited laid on the Table on Wednesday, 8th December, 2010.</p>	9/12/2010	Finance Hon. Okemo	22/2/2011 To respond by 1 <sup>st</sup> March	Not responded
27	<p>THAT, in accordance with the provisions of Article 211(2) of the Constitution; this House resolves that the Deputy Prime Minister and Minister for Finance presents to the Budget Committee of the House within seven days of this resolution, information concerning the loans and debts owed by the Republic of Kenya as at 31st December, 2010 in respect of :- (a) Loans to Ken-REN Chemicals and Fertilizers Company Ltd; (b) External commercial debts on Security Related projects as reflected in the 2008/2009 Annual Public Debt report published by the Ministry of Finance and; further that the Deputy Prime Minister and Minister for Finance should include all information as enumerated in Article 211(2) necessary to show :- i. The extent of the total indebtedness by way of principal and accumulated interest;</p>	23/3/2011	Finance Hon. Martin Ogiendo	5/7/2011 To respond by 19/7/2011	responded

<p>ii. The use made or to be made of the proceeds of the loan;</p> <p>iii. The provision made for servicing or repayment of the loan;</p> <p>iv. The progress made in the repayment of the loan;</p> <p>v. Names of the creditors and the beneficial owners;</p> <p>vi. Circumstances that led to the cancellation of contracts on security related projects in 2004/2005 while giving details of the party/parties that refunded Kshs.1,050,702,075.25</p> <p>vii. Circumstances that led to the suspension of the repayment of the External Commercial Debts on Security Related Projects;</p> <p>viii. The concrete steps taken to recover payments made on Security Related Projects where no commensurate value has been received in return;</p> <p>ix. Steps taken to pay off contracts on Security Related Projects that have been validated and;</p> <p>x. Action taken against any culpable or negligent officer(s) in regard to acts of omission or commission with respect to (vi) above.</p>	<p>6/4/2011</p>	<p>Immigration Hon. Affey</p>	<p>5/7/2011 To respond by 19/7/2011</p>	<p>Responded</p>	<p>Tabled report on 20/7/2011</p>
<p>8. THAT, in accordance with Article 174(h) of the Constitution which provides that one of the objects of devolution is to "facilitate the decentralization of State organs, their functions and services, from the Capital of Kenya"; noting that Kenyans face serious challenges in acquisition of national identity cards; this House urges the Government to facilitate the decentralization of the issuance of national identity cards from Nairobi to the 47 counties in line with the provisions of the Constitution within the next six months.</p>					

<p>29. THAT, being aware of the need to establish a fertilizer factory in the country, noting the efforts made, so far, by the Government both nationally and regionally in setting up such a factory, conscious of the suffering of farmers for lack of readily accessible and affordable agricultural inputs especially fertilizer, appreciating the need to enhance productivity in order to ensure national food security; this House resolves that the Government takes immediate and urgent steps to establish a fertilizer factory in Kenya as soon as is practically possible.</p>	<p>13/4/2011</p>	<p>Agriculture Hon. Wamalwa</p>	<p>5/7/2011 To respond by 19/7/2011</p>	<p>responded</p>	<p>Report not tabled</p>
<p>30. THAT, in view of the fact that Cherangany Hills, a Government gazette forest is under serious threat from human activities such as logging, aware that the forest is an important natural human resource which is the source of a number of rivers and streams, further aware that it is the Government's stated objective to conserve forests in order to mitigate the effects of climate change, this House urges the Government to protect Cherangany Hills from adverse human activities.</p>	<p>23/7/2008</p>	<p>Forestry Hon. Kaino</p>	<p>5/7/2011 To respond by 19/7/2011</p>	<p>responded</p>	<p>Tabled on 26/7/11</p>
<p>31. That appreciating the significance of potatoes as the second most consumed food crop in Kenya; noting that the entire country is served by a single run down potato cooling facility located in Molo; aware that there has been a remarkable increase in potato acreage in the country; appreciating the need to enhance seed development and research on potatoes; this House urges the government to establish additional potato</p>	<p>23/7/2008</p>	<p>Agriculture Hon. Kaino</p>	<p>13/7/2011 To respond by 19/7/2011</p>	<p>responded</p>	<p>Report not tabled</p>

cooling centres in the North rift of Kenya to serve Western Provinces and also Nyandarua and Meru.

Resolutions 2009-2010