

**REPUBLIC OF KENYA**

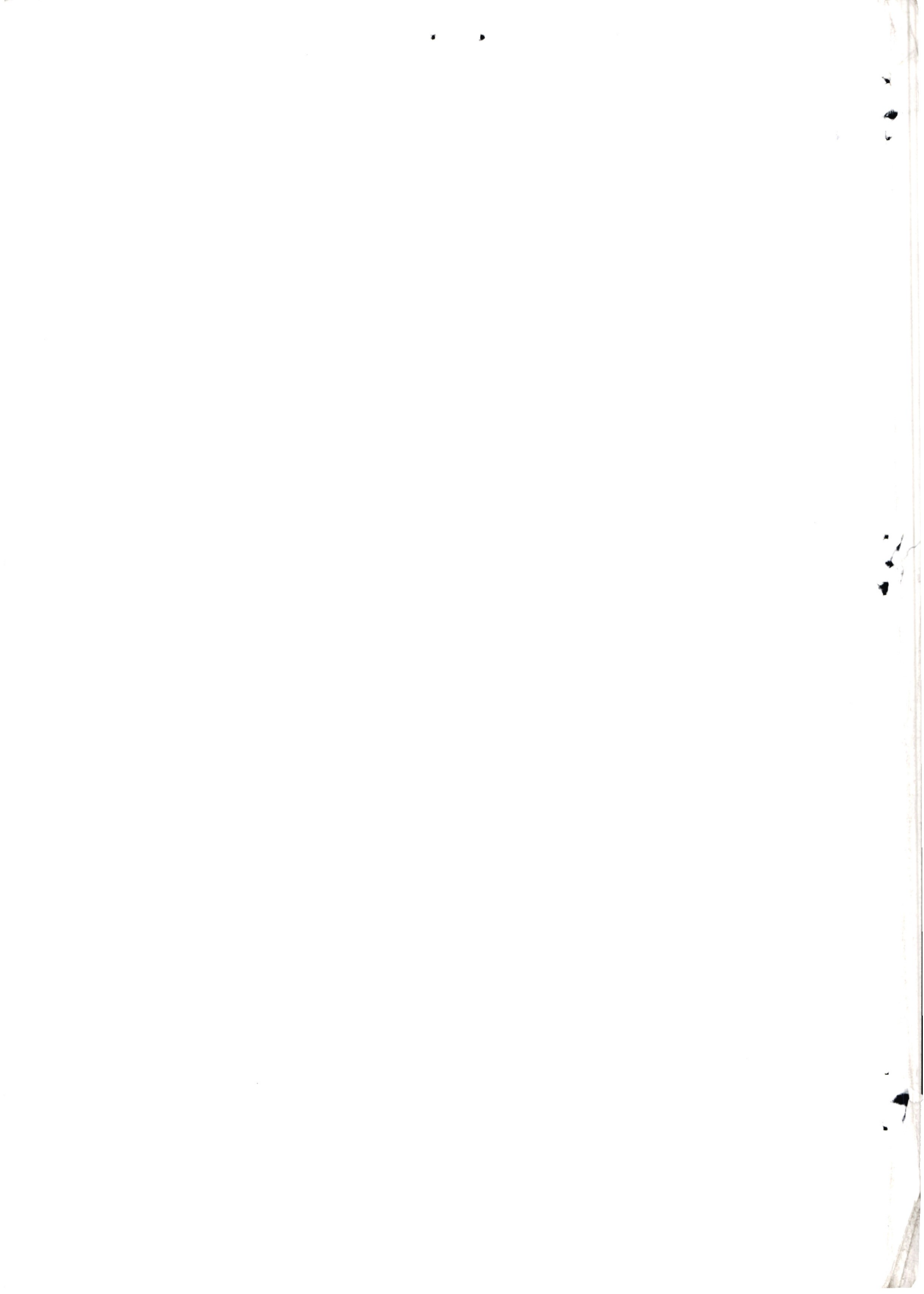


PARLIAMENT  
OF KENYA  
LIBRARY

**KENYA NATIONAL ASSEMBLY**

**NINTH PARLIAMENT**

**REPORT OF THE LEGISLATIVE AND  
PROCEDURAL SERVICES DEPARTMENT FOR  
THE FIRST QUARTER, 2004**



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## **1. INTRODUCTION**

### **2. First Quarter, Third Session of the Ninth Parliament**

As one of the three arms of Government, Parliament carries out the Legislative role of the Government. Since independence, Kenya has had eight Parliaments, the current one being the ninth one. The Third Session of the Ninth Parliament was inaugurated by his Excellency the President on Tuesday March 30, 2004.

As provided by the Constitution, Parliament is composed of 224 Members of whom 210 are elected 12 nominated and two *ex-officio* Members -the Speaker and the Attorney General.

During the Third Session, the ruling coalition, National Rainbow Coalition (NARC) has a majority of 132 Members, KANU 68 while Ford-People has 15 Members. FORD-A, Shirikisho Party of Kenya and Safina has two Members each while, Sisi kwa Sisi Party has one Member.

NARC has seven nominated members, KANU four and Ford People one.

The current Session has a total of 17 Lady-Members of whom 10 are nominated. This is the highest number of Lady-Members in independent Kenya.

### **3. Legislative and Procedural Services Department**

The Legislative and Procedural Department is one of the three Departments of the Clerk's Chambers. The Mission of the Department is to provide Professional Support and advice to Members in order to facilitate the discharge of their legislative duties efficiently and effectively.

The Department renders procedural and operational services that includes; processing of Motions, Parliamentary Questions, and Bills; Preparation and circulation of Orders of the Day and subsequent Votes and Proceedings, and Weekly Parliamentary Programme; Custodian of Parliamentary documents and handling matters related to the Commonwealth Parliamentary Association and the Inter-Parliamentary Union.

#### **4. Staff**

A multi-disciplinary team of staff provides the services. These are:

- Mr. P. G. Gichohi - Deputy Clerk, Head of Department
- Mr. J. N. Mwangi - Principal Clerk and Deputy Head of Division
- Ms. Phylis Mirungu - Clerk Assistant
- Mr. Andrew Mwendwa - Clerk Assistant
- Mr. Stephen Njenga - Clerk Assistant
- Mr. Kipkemoi Arap Kirui - Clerk Assistant
- Ms. Mary Chesire - Clerk Assistant
- Mr. Lawrence Amollo - Clerk Assistant
- Mrs. Lucy Wanjohi - Clerk Assistant
- Ms. Sarah Ndetto - Clerk Assistant
- Mrs. Liz Kingi - Clerk Assistant
- Mrs. Catherine Kimani - Executive Assistant
- Mrs. Caroline Ogutu - Secretary
- Mrs. Eunice Sankona - Secretary
- Mr. Peter Watathi - Secretary
- Mr. Joseph Kimani - Secretary

## **5. Legislative Internship Programme**

The following ten interns have been recruited by the Department under a joint programme between the National Assembly and the State University of New York (Kenya) for the year 2004:

Ms. Damaris Ndegwa  
Ms. Joy Wanjiku  
Ms. Caroline Wangari  
Ms. Isabel Achila  
Ms. Susan Maritim  
Ms Tasiana Mzozo  
Mr. Ally Jamah  
Mr. Douglas Masika  
Mr. Urbanus Musyoka  
Mr. Faustin Barasa

The internship programme aims at demystifying parliament and equipping young Kenyans, who have just graduated, with the necessary information and skills to better understand their Parliament and the legislative process. The current interns, of the Third Session of the Ninth Parliament, are the third lot of interns to have joined the National Assembly with the previous interns having been with the National Assembly in 2002 and 2003.

This report is a highlight of the proceedings of the first quarter of the Third Session of the Ninth Parliament.

## **6. BILLS**

Section 30 of the constitution vests the legislative power of the Republic in the Parliament of Kenya, which consists of the President, and the National Assembly. Legislative power is exercisable by Bills enacted by the Assembly.

The procedure for the introduction and enactment of Bills is provided for in both the Constitution and the Standing Orders of the National Assembly.

In the first quarter, a total of 8 Bills were presented (7 substantive and 1 Amendments) all introduced by the Government. (*Schedule annexed*)

## **7. MOTIONS**

A Total of 46 Motions were introduced by Members, 37 of them from the National Rainbow Coalition Party, 7 from the Official Opposition KANU, and 1 from Ford People.

16 Motions were adopted. Only one Motion was rejected, which was from the government side, while 31 Motions are pending debate.

## **8. QUESTIONS**

In its oversight role, Parliament has provided for a period for questions through which Members can inquire into the activities and performance of the Government on issues of concern.

In this session, a total of 133 questions were submitted, of which 53 were questions by Private Notice while 80 were by Ordinary notice. Of these 86 were answered, while 29 deferred and 2 dropped. The 2 dropped questions were questions by Private Notice, while of the 29 deferred, 10 were of Private Notice while 19 were Ordinary.

## **9. MINISTERIAL STATEMENTS**

A total of twenty Ministerial Statements were made in the Session. The statements were on:

### **4<sup>th</sup> Sitting – 1<sup>st</sup> April 2004.**

- (i) Ministerial Statement on Security Status in the Country delivered in the House by Hon. Dr. Chris Murungaru, Minister of state, and Office of the President.

### **7<sup>th</sup> Sitting – 7<sup>th</sup> April, 2004.**

- (ii) Ministerial Statement on Extension of AGDA Life by the Minister for Trade and Industry, Hon Mukhisa Kituyi.
- (iii) Ministerial Statement on the Launch of the National Health Insurance Scheme was made in the House by the Minister for Health, Hon. Charity Ngilu.
- (iv) Ministerial Statement on the First National Women's conference on HIV/AIDS was made in the House by the Minister for Health, Hon. Charity Ngilu.

### **9<sup>th</sup> Sitting, Tuesday 13<sup>th</sup> April 2004.**

- (v) Ministerial Statement was delivered in the House by the Minister for Agriculture regarding the recent fore outbreak at the Kenya Seed Company Premises on 11<sup>th</sup> April, 2004.



**13<sup>th</sup> Sitting, Tuesday 20<sup>th</sup> April 2004.**

- (vi) Ministerial Statement was delivered in the House, on the severe Foaming of the Nairobi Dam, by the Minister for Environment Natural Resources and Wildlife.
- (vii) Ministerial Statement was made in the House on attack by cattle Rustlers from Turkana District in Baringo East by Hon, Stephen Tarus, Assistant Minister, Office of the President.

**13<sup>th</sup> Sitting, Tuesday, 20<sup>th</sup> April, 2004.**

- (viii) Ministerial Statement made in the House by an Assistant Minister in the O.P (Hon. S.Tarus) regarding the displacement of pastoralist in Turkana district.

**15<sup>th</sup> Sitting, Wednesday 21<sup>st</sup> April, 2004.**

- (ix) Ministerial Statement regarding the signing of East Africa Customs Union was made into the House by the Minister for Trade and industry.
- (x) Ministerial Statement regarding current high levels of power blackouts was made in the House by the Assistant Minister for Energy, Hon. M. Kiunjiri.
- (xi) Ministerial Statement regarding Management charges in the Kenya Power and Lighting Company was made in the House by Assistant Minister, Energy, and Hon. M. Kiunjuri.

**16<sup>th</sup> Sitting, Thursday 22<sup>nd</sup> April 2004.**

- (xii) Ministerial Statement regarding the Visa dispute between Kenya and South Africa was made in the House by the Assistant Minister for Foreign Affairs, (Hon. M. Wetangula).
- (xiii) Ministerial Statement regarding Re-opening of Kenya Meat Commission was made by the Minister for Livestock and Fisheries Development.

**19<sup>th</sup> Sitting, Wednesday 28<sup>th</sup> April 2004**

- (xiv) Ministerial statement regarding demolition of illegal structures on KPLC leaves, was made by the Minister for energy

**21<sup>st</sup> Sitting, Tuesday 4<sup>th</sup> May 2004**

- (xv) Ministerial statement regarding sugar imports into the country was made by the minister for Agriculture.

**22<sup>nd</sup> Sitting, Wednesday 5<sup>th</sup> May 2004**

- (xvi) Ministerial statement regarding reforms in the judiciary was made by the Assistant Minister for Justice and Constitutional Affairs.
- (xvii) Ministerial statement was made regarding the closure of Nakuru and Machakos Coca Cola manufacturing plants, by the Assistant Minister for Trade and Industry, Hon Miriti.
- (xviii) Ministerial statement was made regarding the Fire at the Kenya Seed Company premises, Kitale, by the Minister for Agriculture, Hon. Kipruto Kirwa.

**24<sup>th</sup> Sitting, Thursday 6<sup>th</sup> May, 2004.**

- (xix) Ministerial statement regarding Delay in approving Barclays Bank of Kenya proposal on issuing of mortgage bonds was made by the Minister of Finance.

**25<sup>th</sup> Sitting, Tuesday 11<sup>th</sup> May, 2004**

- (xx) Ministerial statement regarding delay in approving Barclays Bank of Kenya Proposal on issuing of mortgage bonds made by the Minister of Finance.

**10. PAPERS LAID**

A total of **16 papers** were laid before the House in the first quarter of the year 2004.

**The following papers were laid:**

**Tuesday 6<sup>th</sup> April 2004 by Assistant Minister of Agriculture, Khaniri**

- ◆ Report of the Task Force on Public Collections or “Harambees”.
- ◆ The Twentieth Annual Report of the Kenya Law Reform Commission, 2002.
- ◆ Annual Report and Accounts of Kenya Tea Development Authority for the year ended 30<sup>th</sup> June, 2000 and the Certificate thereon by the Controller and Auditor General (Corporations).
- ◆ Annual Report and Accounts of Kenya Daily Board for the year ended 30<sup>th</sup> June, 2001 and the Certificate thereon by the Controller and Auditor General (Corporations).

**Thursday 8<sup>th</sup> April, 2004 by Minister for Energy, Ochillo Ayacko**

- ◆ Sessional paper No. /of 2004 on Kenya Government on a loan from the Japan Bank for International Corporation (JBIC) to the Kenya Electricity Generating Company for the implementation of Sondu Miriu Hydro power project.

**Thursday 15<sup>th</sup> April, 2004 by Hon. Marende**

- ◆ Letter Ref. CR/GEN/VOL.3/10/115 dated 14<sup>th</sup> April 2004 from Registrar of Companies giving particulars of Transnational Construction Company ltd.

**Tuesday 20<sup>th</sup> April, 2004 by Minister for Environment, natural resources and wildlife**

- ◆ Laboratory results on water samples collected from the Nairobi Dam.

**Tuesday 20<sup>th</sup> April 2004 by Hon. Maoka Maore**

- ◆ Tender documents No. 1/IMM/2002 – 2003 from the Department of Immigration

**Wednesday 21<sup>st</sup> April, 2004 by Hon. Ali Wario**

- ◆ Minutes of the DSG held on Monday March 22, 2004 in Tana River District.

**Wednesday 28<sup>th</sup> April, 2004 by Eng. Joshua Toro**

- ◆ A schedule for land compensation at Sultan Hamud in relation to Question no. 143.

**Wednesday 28<sup>th</sup> April, 2004 by Hon. Wambora**

- ◆ Letters in respect of Rural electrification projects in Kyeni and Runyenjes divisions in relation to Question 112.

**Thursday 29<sup>th</sup> April, 2004 by Assistant Minister for Health, Hon. Konchella**

- ◆ Annual report and accounts of Kenya Medical Research Institute for the year ended 30<sup>th</sup> June 2001 and the certificate thereon by the Controller and Auditor General (Corporations).
- ◆ Annual report and accounts of Kenya National Library Services for the year ended 30<sup>th</sup> June 2000 and the certificate thereon by the Controller and Auditor General (Corporations).

**Wednesday 4<sup>th</sup> May, 2004**

- ◆ Minutes of the District Settlement Selection Committee meeting held on 3<sup>rd</sup> June 1999 at the District Commissioner's office, Malindi.

**Thursday 6<sup>th</sup> May, 2004 by Hon. Kamanda**

- ◆ A report on investigations into fire incident at the City Hall on 2<sup>nd</sup> March, 2004, in relation to Question by Private Notice, No. 6.

**Thursday 6<sup>th</sup> May, 2004 by Assistant Minister for Local Government**

- ◆ A single Business Permit fee schedule, in relation to Question No. 210.

**11. HOUSE DIVISIONS**

Throughout the Session there was only one Division during Debates; it was on the motion on the renewal of the appointment of the select committee top investigate and report on the death of the late Robert J. Ouko (EGH, MP), on Wednesday April 14, 2004. There were 32 Ayes, 41 Nays and 5 Abstentions.

## **12. SUSPENSION OF MEMBERS**

During this session, a total of 4 Members were suspended for disorderly conduct. The table below (*Appendix IV*) is a sum-up of the suspensions in this Quarter.

## **13. QUORUM**

Throughout the Sittings of this Session, seven Points of Order on Quorum of the House were raised. Quorum was raised in all cases and the interrupted debate resumed. The Points of Order on Quorum are as stated below:

- ◆ Wednesday March 31, 2004 by Member for Siakago, Hon. Muturi
- ◆ Wednesday March 31, 2004 by Nominated Member, Hon. Abdalla
- ◆ Thursday April 1, 2004 by Member for Mogotio, Hon. Korir
- ◆ Wednesday April 7, 2004 by Member for Baringo, Hon. Moi
- ◆ Wednesday April 7, 2004 by Member for Bomachoge, Hon. Onyancha
- ◆ Wednesday April 21, 2004 by Member for Saboti, Hon. Nakitare
- ◆ Tuesday May 4, 2004 by Member for Mwatate, Hon. Major (Rtd) Madoka

**APPENDIX I: MOTIONS**

	<b>Motion</b>	<b>Notice of Motion</b>	<b>Entered by</b>	<b>Party</b>	<b>Passed to</b>	<b>Debated</b>	<b>Date Adopted / Rjctd.</b>
1.	Exposition of Public Policy contained in His Excellency's Presidential Address from the Chair on March 30, 2004	30.3.04	Leader of Government Business (Hon.M.Awor i.)	NARC	LGB		13.4.04 Adopted
2.	Seeking the Exemption of the Business from provisions of Standing Orders No.33.	31.3.04	Leader of Government Business (Hon.Awori.)	NARC	LGB		31.3.04 Adopted
3	Seeking the Appointment of Members to the House Business Committee	31.3.04	Leader of Government Business (Hon.Awori.)	NARC	LGB		31.3. 04 Rejected
4.	Seeking limitation of Debate on the Presidential Address	31.3.04	Leader of Government Business (Hon.Awori.)	NARC	LGB		31.3.04 Adopted
5	Seeking limitation of debate on Private Members' Motions	31.3.04 <sup>st</sup> March 2004	Leader of Government Business (Hon.Awori.)	NARC	LGB		31.3.04 Adopted
6	Seeking limitation of debate on Adjournment Motions, for the Adjournment of the House to a day other than the next normal	31 <sup>st</sup> March 2004	Leader of Government Business (Hon.Awori.)	NARC	LGB		31.3.04 Adopted

	sitting day						
7	Seeking to introduce a Bill for an Act of Parliament entitled <i>Tobacco Control Bill</i>	Wednesday 7 <sup>th</sup> April 2004	Hon Gor Sunguh	NARC	Health		
8	Seeking to introduce a Bill for an Act of Parliament entitled " <i>The Advertising Control Bill</i> "	Wednesday 7 <sup>th</sup> April 2004	Hon Gor Sunguh	NARC	T & I		
9	Seeking to introduce a Bill for an Act of Parliament entitled " <i>The Competition Act</i> "	Wednesday 7 <sup>th</sup> May 2004	Hon. Gor Sungu	NARC	T & I		
10	Seeking to introduce a Bill for an Act of Parliament entitled " <i>The Consumer Protection Bill</i> "	Wednesday 7 <sup>th</sup> April 2004	Hon Gor Sungu	NARC	T & I		
11	Seeking to introduce a Bill for an Act of Parliament entitled " <i>The Wildlife Conservation and Management (Amendment) Bill</i> "	Wednesday April 7 2004	Hon. G.G. Karuiuki	NARC	ENRW		14.4.04 Adopted
12	Seeking to introduce a Bill for an Act of Parliament to <b>amend the NSSF Act (CAP 258 of the Laws of Kenya )</b>	Wednesday 7 <sup>th</sup> April 2004	Hon Oloo Aringo	NARC	LHRD		21.4.04 Adopted
13	Seeking the establishment of a <b>Technical</b>	Wednesday 7 <sup>th</sup> April 2004	Hon Oloo Aringo	NARC	AGRIC.		



	<b>Committee</b> of Experts to investigate the Yala Swamp						
14	Seeking exemption of Business from the Provisions of Standing Order No.33	Wednesday 7 <sup>th</sup> April 2004	Deputy Leader of Government Business(Hon n (Prof) Saitoti	NARC	LGB		Wednesday 7 <sup>th</sup> April 2004 <b>ADOPTED</b>
15	Seeking the release of all Certificates held by schools on account of fees balances	Wednesday 7 <sup>th</sup> April 2004	Hon David Musila	NARC	EST		
16	Seeking the establishment of a <b>Commission of Inquiry on Public Debts</b>	Wednesday 7 <sup>th</sup> April 2004	Hon. Omingo Magara	FORD People	AGRIC.		
17	Urging the Government to identify, adjudicate and distribute to the landless all state owned land	Wednesday 7 <sup>th</sup> April 2004	Hon. Joe Khamisi	NARC	L & S		Wednesday 28 <sup>th</sup> April 2004 <b>ADOPTED</b>
18	To introduce a Bill for an Act of Parliament to amend the <b>Cotton Act, 1990 Cap 335</b>	Wednesday 7 <sup>th</sup> April 2004	Hon.(Prof) Julia Ojiambo	NARC	AGRIC.		
19	To introduce a Bill for an Act of Parliament entitled, <b>The Nutritionists and Dietitians Bill</b> , to provide for training, registration licensing of nutritionists and dietitians	Wednesday 7 <sup>th</sup> April 2004	Hon.(Prof) Julia Ojiambo	NARC	Health		

20	<i>Kuzipa shule zote madawati ya kutosha kwa matumizi ya wanafunzi wote</i>	Wednesday 7 <sup>th</sup> April 2004	Hon Joe Khamis	NARC	EST		
21	To amend the relevant sections of the <b>Penal Code, Cap. 63, Laws of Kenya</b> in order to provide for cattle rustling as a non-bail-able offence punishable by life imprisonment	Wednesday 7 <sup>th</sup> April 2004	Hon.(Dr) Bonny Khalwale	NARC	OP		
22	<i>Kuitoa kodi ardhi isiyotumika au kuinunua na kuigawanyia raia ardhi inayolipiwa kodi bila kutumika</i>	7 <sup>th</sup> April 2004	Hon Koigi Wamwere	NARC	L & S		
23	<i>Serikali iongeze kiwango cha chini cha malipo ya wafanyakazi ili waweze kuimudu gharama ya maisha</i>	Wednesday 7 <sup>th</sup> April 2004	Hon Koigi Wamwere	NARC	LHRD		
24	<i>Serikali itekeleze ahadi ya kuweka umeme Subukia</i>	Wednesday 7 <sup>th</sup> April 2004	Hon. Koigi Wamwere	NARC	Energy		
25	Urging the Government to set up a committee of Experts to look into the problems affecting the Pyrethrum Industry	Wednesday 7 <sup>th</sup> April 2004	Hon. Mukiri Macharia	NARC	AGRIC.		
26	Extending the life of the Anthony Wambua Ndilinge Murder Probe	Wednesday 7 <sup>th</sup> April 2004	Hon Mutinda Mutiso	NARC	LGB		<i>Adopted</i> Wednesday 14 <sup>th</sup> April

	Committee						2004 Adopted
27	Urging the Government to <b>amend and repeal Sections of the companies Act Cap 486</b>	Wednesday 7 <sup>th</sup> April 2004	Hon. Henry Obwocha	NARC	Finance		Thursday 12 <sup>th</sup> May 2004  Adopted
28	Seeking a resolution of the House for the To renew the Robert Ouko Select Committee investigating his murder	Tuesday 13 <sup>th</sup> April 2004	Hon. Gor Sungu	NARC	LGB		Wednesday 14 <sup>th</sup> April 2004  <b>Adopted</b>
29	Kenya Livestock Research Institute (KELRI); Kenya Livestock Development Authority (KELDA); and Kenya Livestock Marketing Board (KELMAB)	Wednesday 14 <sup>th</sup> April 2004	Hon. Mohammed Mahamud	KANU	L & FD		Wednesday 28 <sup>th</sup> April 2004  <b>Adopted</b>
30	Calling upon the Government to fully equip all public health facilities by providing adequate personnel, drugs, vehicles, funds	Wednesday 14 <sup>th</sup> April 2004	Hon. Mohammed Mahamud	KANU	Health		
30	Appointment members of the Constituency Development Fund Committee	Thursday 15 <sup>th</sup> April 2004	Finance	NARC/Government	LGB		Thursday 15 <sup>th</sup> April 2004 <b>Adopted</b>
31	Exemption of Finance Management Bill (No.3) and The Privatization Bill (No.4) from the	Thursday 15 <sup>th</sup> April 2004	Finance	NARC	LGB		15 <sup>th</sup> April 2004  <b>Adopted</b>

	Provisions of Standing Order 101 (3).						
32	Awarding a 25% rebate to Lecturers' children in public schools and other government institutions of higher learning, while in service	Wednesday 21 <sup>st</sup> April 2004	Hon. Mutinda Mutiso	NARC	EST		
33	Establish a <b>Pastoralist Development Authority</b>	Wednesday 21 <sup>st</sup> April 2004	Hon. Wario	KANU	L & FD		
34	<i>Serikali itenge pesa za kufufua mradi wa Bura chini ya National Irrigation Board</i>	Wednesday 21 <sup>st</sup> April 2004	Hon Wario	KANU	WRMD		
35	Bill to <b>amend Section 143 of the Registered Land Act</b> to empower courts to cancel and revoke fraudulently obtained titles	Wednesday 21 <sup>st</sup> April 2004	Hon. Mirugi Kariuki	NARC	AG		
36	Urging the Government to bring up a legislation to establish a <b>Heroes Act</b>	Wednesday 21 <sup>st</sup> April 2004	Hon. Mirugi Kariuki	NARC	AG		
37	Bill for an Act of Parliament entitled <b>the Informal Sector Small Enterprises and Hawking Bill</b>	Wednesday 21 <sup>st</sup> April 2004	Hon. Mirugi Kariuki	NARC	T & I		
38	To establish a <b>Delegated Legislation</b>	Wednesday 21 <sup>st</sup> April	Hon. Amina Abdalla	KANU	J & CA		

	<b>Committee</b> to scrutinize all subsidiary legislation	2004					
39	Urging the Government to introduce a <b>Community Social Enterprises Bill</b>	Thursday 22 <sup>nd</sup> April 2004	Hon.(Prof Julia Ojiambo)	NARC	GS & CSS		
40	Withdrawal of Ksh. <b>8,358,668,078</b> from the Consolidated Fund in respect of supplementary estimate of 2003/2004 to meet Recurrent and development expenditure during the year ending 30 <sup>th</sup> June 2004	Tuesday 27 <sup>th</sup> April 2004	Finance	NARC	LGB		<b>Adopted</b> On 29 <sup>th</sup> April 2004
42	Banning the sale of alcohol of whatever kind in sachets and that, alcohol henceforth, to be sold in designated sizes of bottles only, and the minimum of such size to be 300 milliliters	Thursday 29 <sup>th</sup> April 2004	Hon. Kembi Gitura	NARC	Health		
43	Bill for an <b>Act of Parliament to repeal the Irrigation Act (Cap 347)</b> and to replace the same with appropriate Law, to promote Irrigation farming and control of	Wednesday 5 <sup>th</sup> May 2004	Hon. Oloo Aringo	NARC	WRM & D		

	floods						
44	To introduce a Bill to amend the <b>Kenya Roads Board Act and the Constituency Fund Act</b>	Wednesday 5 <sup>th</sup> May 2004	Hon. Kimetto	KANU	RPW&H		
45	Calling upon the Government to provide loans to all needy students in the middle level colleges throughout the country	Wednesday 5 <sup>th</sup> May 2004	Hon. David Koros	KANU	EST		
44	Seeking a Resolution to declare <b>March 15<sup>th</sup> a National Holiday</b> , to be known as " <b>Katiba Day</b> "	Wednesday 5 <sup>th</sup> May 2004	Hon. David Koros	KANU	GSC&SS		
45	To urge the Government to urgently curb importation of maize, rice and sugar and facilitate the production of these commodities by putting in place production support funds	Wednesday 5 <sup>th</sup> May 2004	Hon. (Prof) Olweny	NARC	AGRIC.		
46	Urging the Government to allow individuals and or private organizations to provide telephone and radio call facilities	Wednesday 6 <sup>th</sup> May 2004	Hon. (Dr) Abdullahi Ali	KANU	T & C		

## APPENDIX II: QUESTIONS BY ORDINARY NOTICE

<b>QUESTION</b>	<b>STATUS</b>	<b>MINISTER/MINISTRY</b>	<b>DATE</b>
NO. 001	Answered	By the Assistant Minister for Labour and Human Resources and Development (Hon. Odoyo)	
NO. 002	Answered	By the minister for livestock (Hon Munyao)	
NO. 003	Answered	By the Assistant Minister for Education, Science and Technology (Hon. K. Mwiria)	27 <sup>th</sup> April, 2004.
NO. 004	Answered	Assistant Minister in the Office of the President (Hon. Dzoro)	13 <sup>th</sup> April, 2004
NO. 005	Answered	By the Minister for Education, Science and Technology (Hon. Beth Mugo.)	14 <sup>th</sup> April, 2004
NO. 006	Answered	By the Assistant Minister for Trade and Industry (Hon. P. Miriti)	15 <sup>th</sup> April, 2004
NO. 007	Answered	By the Minister for Health (Hon. C. Ngilu)	15 <sup>th</sup> April, 2004
NO. 008	Answered	By the Minister for Education, Science and Technology (Hon. G. Saitoti)	14 <sup>th</sup> April, 2004
NO. 009	Answered	By the Assistant Minister for Finance (Hon. Katuku)	27 <sup>th</sup> April, 2004
NO. 010	Deferred	By the Minister	5 <sup>th</sup> May, 2004
NO. 012	Answered	By the Minister for Agriculture (Hon. K. Kirua)	14 <sup>th</sup> April, 2004
NO. 013	Answered	Minister for Water Natural resources and Management (Hon. M Karua)	22 <sup>nd</sup> April, 2004
NO. 014	Answered	By the Minister for Gender, Sports, Culture and Social Services (Hon. N. Balala)	
NO. 015	Answered	By the Answered by the Assistant Minister, Office of the President Hon. M. Dzoro.	20 <sup>th</sup> April, 2004
NO. 017	Deferred		
NO. 018	Answered	By the Minister for Co-operative Development and Marketing (Hon. Ndwiga).	
NO. 019	Answered	By the Minister for Co-operative and Marketing	
NO. 022	Answered	By the Minister for Roads, Public Works and Housing (Hon R. Odinga)	15 <sup>th</sup> April, 2004
NO. 023	Answered	By the Assistant Minister in the Office of the President (Hon. Dzoro)	27 <sup>th</sup> April, 2004
NO. 024	Answered	By the Minister of Labour and Human Resources and Development	4 <sup>th</sup> May, 2004
NO. 084	Answered	By Minister for Agriculture.	21 <sup>st</sup> April, 2004
NO. 099	Answered	By Minister for Tourism and information.	21 <sup>st</sup> April, 2004
NO. 080	Answered	By Assistant Minister for Energy, Hon. Kiunjiri.	21 <sup>st</sup> April, 2004
NO. 086	Answered	By Minister for Transport and Communications.	27 <sup>st</sup> April, 2004

NO. 090	Answered	By the Minister for Lands and Settlement	21 <sup>st</sup> April, 2004
NO. 103	Answered	By the Minister for Trade and Industry.	21 <sup>st</sup> April, 2004
NO. 108	Answered	By Assistant Minister for Education, science and Technology	21 <sup>st</sup> April, 2004
NO. 055	Answered	By the Minister for Roads, Public Works and Housing.	22 <sup>nd</sup> April, 2004
NO. 057	Answered	By Assistant Minister, Office of the President, Hon. Prof K. Kibwana.	22 <sup>nd</sup> April, 2004
NO. 078	Answered	By the Assistant Minister for Finance, Hon Katuku.	27 <sup>th</sup> April, 2004
NO. 058	Answered	By the Assistant Minister for Roads, Public Works and Housing (Hon. Eng. Joshua Toro)	27 <sup>th</sup> April, 2004
NO. 100	Answered	By the Minister for Energy	28 <sup>th</sup> April, 2004
NO. 142	Deferred		
NO.109	Answered	By the Assistant Minister for Education, Science and Technology.	4 <sup>th</sup> May, 2004
NO. 081	Answered	By the Assistant Minister of Health,( Hon Konchella)	4 <sup>th</sup> May, 2004
NO. 150	Answered	By the Assistant Minister of Health, (Hon. Konchella)	4 <sup>th</sup> May, 2004
NO. 087	Answered	By the Assistant Minister for Local Government (Hon. Betty Tett.)	4 <sup>th</sup> May, 2004
NO. 091	Answered	By the Assistant Minister for Lands and Settlement (Hon. Ojode)	4 <sup>th</sup> May, 2004
NO. 112	Answered	By the Minister for Energy	
NO. 143	Answered	By the Assistant Minister for Roads, Public Works and Housing (Hon. Eng. J. Toro)	
NO. 149	Deferred		
NO. 117	Deferred		
NO. 120	Deferred		
NO. 115	Deferred		
NO. 092	Answered	By the Assistant Minister for Education, Science and Technology (Hon Dr. K. Mwiria)	29 <sup>th</sup> April, 2004
NO. 104	Answered	By the Minister for Agriculture (Hon. K Kirua)	
NO. 101	Answered	By the Assistant Minister for Health (Hon Konchella)	29 <sup>th</sup> April, 2004
NO. 059	Answered	By the Minister for Labour and Human Resources and Development	11 <sup>th</sup> May, 2004
NO. 060	Answered	By the Minister for livestock and Fisheries Development	4 <sup>th</sup> May, 2004
NO. 168	Answered	By the Minister for	5 <sup>th</sup> May, 2004
NO. 158	Answered	By the Minister for Energy	5 <sup>th</sup> May, 2004
NO. 170	Answered	By the Assistant Minister for Health (Hon.Konchella.)	5 <sup>th</sup> May, 2004
NO. 147	Answered	By the Assistant Minister for Local Government (Hon Tett)	5 <sup>th</sup> May, 2004



NO. 169	Answered	By the Assistant Minister for Lands and Settlement (Hon Ojode)	5 <sup>th</sup> May, 2004
NO. 166	Deferred		
NO. 165	Deferred		
NO. 113	Answered	By the Assistant Minister for Education, Science and Technology	11 <sup>th</sup> May 2004
NO. 201	Answered	By the Assistant Minister for Education, Science and Technology (Hon. Dr. K. Mwiria)	5 <sup>th</sup> May, 2004
NO. 172	Answered	By the Assistant Minister for Agriculture (Hon. J. Nyaga)	5 <sup>th</sup> May, 2004
NO. 174	Answered	By the Assistant Minister for Health Hon. Konchela	5 <sup>th</sup> May, 2004
NO. 193	Answered	By the Assistant Minister for Lands and Settlement (Hon, Ojode.)	5 <sup>th</sup> May, 2004
NO. 206	Answered	By the Minister for Water Resources , Management and Development(Hon. Karua) 5	
NO. 192	Answered	By the Assistant Minister for Lands and Settlement (Hon. Ojode)	5 <sup>th</sup> May, 2004
NO. 178	Deferred		
NO. 123	Answered	By the Minister for Regional Development	6 <sup>th</sup> May, 2004
NO. 215	Answered	By the Assistant Minister for Agriculture (Hon. J. Nyaga)	6 <sup>th</sup> May, 2004
NO. 210	Answered	By the Assistant Minister for Local Government (Hon. B. Tett)	6 <sup>th</sup> May, 2004
NO. 216	Answered	Assistant minister for Energy (Hon M. Kiunjiri)	6 <sup>th</sup> May, 2004
NO. 102	Answered	By the Minister for Co-operative Development and Marketing (Hon. Kenneth)	6 <sup>th</sup> May, 2004
NO. 208	Deferred		
NO. 203	Deferred		
NO. 211	Deferred		
NO. 085	Answered	By the Minister for Education, Science and Technology	11 <sup>th</sup> May, 2004
NO. 153	Answered	By the Assistant Minister for Energy (Hon. M. Kiunjiri)	11 <sup>th</sup> May, 2004
NO. 025	Deferred		11 <sup>th</sup> May, 2004
NO. 125	Deferred		11 <sup>th</sup> May, 2004
NO. 115	Deferred		11 <sup>th</sup> May, 2004
NO. 142	Deferred		11 <sup>th</sup> May, 2004
NO. 077	Deferred		11 <sup>th</sup> May, 2004
NO. 117	Deferred		11 <sup>th</sup> May, 2004

*Source: Questions Register, Votes and Proceeding Ninth Parliament Second Session.*

**APPENDIX III: QUESTIONS BY PRIVATE NOTICE (QPN)**

	<b>Focus/Concern Area</b>	<b>Mover of QPN</b>	<b>Respondent/Ministry</b>	<b>Status/date</b>
1	Attack by thugs	Hon. J.J. Kamotho	Hon S. Tarus, Assistant Minister, OP	Answered on 14 <sup>th</sup> April 2004 (11 <sup>th</sup> sitting)
2	Personal debts of former VP the late Hon W Kijana	Hon Billow Kerrow	Minister for Finance, Hon Mwiraria	Answered on 13 <sup>th</sup> April 2004 (9 <sup>th</sup> sitting)
3	Escalation of prices of fertilizers and maize seeds	Hon Jimmy Angwenyi	Minister for Agriculture, Hon Kirwa	Answered on 7 <sup>th</sup> April 2004 (6 <sup>th</sup> sitting)
4	Increasing number of illegal firearms in Nairobi	Hon. Reuben Ndolo	A.M., Office of the President Hon. Stephen Tarus	Answered on 7 <sup>th</sup> April 2004 (6 <sup>th</sup> sitting)
5	Concerning building and other structures on road reserves which are to be demolished	Hon. Jimmy Angwenyi	Hon. Raila Odinga	Answered on Thursday 8 <sup>th</sup> April 2004 (8 <sup>th</sup> Sitting)
6	Concerning escalation of public transport costs	Hon. Jimmy Angwenyi	Hon Michuki, Minister for transport and Communications	Answered on Thursday 8 <sup>th</sup> April 2004 (8 <sup>th</sup> Sitting)
7	Concerning failure to consider Baringo district in the recently concluded medical staff recruitment	Hon. A Kamama	Assist. Minister for Health-Konchella	Answered on Thursday 8 <sup>th</sup> April (8 <sup>th</sup> Sitting)
8	Concerning abduction of twins from a tea farm in Kiarangana village, Kirinyaga district on 3 <sup>rd</sup> January 2003	Hon Karaba	Office of the President ,Assistant Minister Hon. S Tarus	Answered on Tuesday 13 <sup>th</sup> April 2004 (9 <sup>th</sup> sitting).
9	Concerning precautionary measures against bird flu disease	Hon R Ndolo	Minister for Livestock and Fisheries Development (Hon Munyao)	Thursday 8 <sup>th</sup> April 2004 (8 <sup>th</sup> sitting)
10	Concerning impending floods and disasters during this years long rains	Hon. A Kamama	Hon S. Tarus Assistant Minister in the Office of the President	Thursday 15 <sup>th</sup> April 2004 (12 <sup>th</sup> Sitting)
11	Concerning disbursing of Ksh.2.million to each	Hon. Mutahi Kagwe	Ministry of Finance,	Thursday 15 <sup>th</sup> April 2004 (12 <sup>th</sup> Sitting)

	constituency		Minister,(Hon Mwiraria)	
12	Concerning out break of Contagious Bovine Pleural Pneumonia (CBPP) in Tana River District	Hon. Wario	Ministry of Livestock and fisheries Development( Hon Munyao)	<b>Answered</b> on 21 <sup>st</sup> April, 2004 (15 <sup>th</sup> Sitting).
13	concerning issuance of titles of Mau Forest which is on trust land	Hon.Munya	Ministry of Lands and settlement	Deferred 15 <sup>th</sup> April 2004
14	Concerning shooting of Bernard Chemungu Siyoiin in Masaek village by police officers from Kipsigor Police post in Mt. Elgon	Hon. Serut	Office of the President	Dropped in the absence of the member on 15 <sup>th</sup> April 2004
15	Concerning the alleged looming strike by civil servants	Hon. A. Kamama	Office of the President, Assistant minister (Hon M. Dzoro)	Answered Tuesday 20 <sup>th</sup> April 2004 (13 <sup>th</sup> sitting)
16	Concerning a gang of thugs operating in Borabu Division	Hon. Masanya	Assist Minister, Office of the President, Hon. S. Tarus	Answered Tuesday 20 <sup>th</sup> April 2004).(13 <sup>th</sup> sitting)
17	Concerning the purchase of a C T Scan Machine at Kenyatta National Hospital	Hon. S.K Kanyingi	Ministry of Health Assistant Minister, (Konchella)	Answered on Tuesday 20 <sup>th</sup> April 2004 (13 <sup>th</sup> Sitting)
18	Concerning the financial implications to Kenya on the signing of E.A.Customs Union	Hon. Mutahi Kagwe	Ministry of Trade and Industry Assistant Minister(Petkay Mirirti)	Answered on Tuesday 20 <sup>th</sup> April 2004 (13 <sup>th</sup> sitting)
19	Concerning lack of surgeon at Nyamira District Hospital	Hon. Masanya	Ministry of Health, Minister (Hon C. Ngilu)	Answered on Wednesday April 21 2004 (14 <sup>th</sup> sitting)
20	Circumstances under which five Divisional Managers at KPLC were being sent on a training programme	Hon. Jimmy Angwenyi	Ministry of energy, Assistant Minister(Hon Kiunjuri)	Wednesday April 21 2004 (14 <sup>th</sup> sitting)
21	concerning an outbreak of foot and mouth disease in Samburu District	Hon S. Leshore	Ministry of Livestock and Fisheries Development	Deferred on Wednesday April 21 2004 (14 <sup>th</sup> sitting)
22	concerning injuries	Hon. T.	Office of the	Deferred on

	sustained by boys from unexploded ordinance at the British Army Training Field at Loresoro	Ngoyoni	President	Wednesday April 21 2004 (14 <sup>th</sup> sitting)
23	Concerning the washing way of the bridge at Debwa between Voi and Wundanyi by Heavy rains	Hon (major rtd) M Madoka	Ministry of Roads, Public Woks and housing Assist. Minister (J.Toro)	Answered on Wednesday April 21 2004 (14 <sup>th</sup> sitting)
24	Concerning serious clogging/blockage of drainage systems in Nairobi and other major towns in the country was	Hon. Jimmy Angwenyi	Ministry of Local Government Assistant Minister (Hon.B. Tett)	Answered on Wednesday April 21 2004 (14 <sup>th</sup> sitting)
25	Concerning the intended auctioning of Ol Kalou Farmers Sacco. Bank Building	Hon. M Karue	Assistant Minister for Co-operative Development and Marketing, (Hon. Kenneth)	Answered on Wednesday April 21 <sup>st</sup> , 2004 (14 <sup>th</sup> sitting)
26	Concerning none supply of clean drinking water to Sigor Township due to problems at the water intake point	Hon. Rotino	Minister for Water Resources Management and Development( Hon. Karua)	Answered on Thursday April 22, 2004(15 <sup>th</sup> Sitting)
27	Concerning failure by the Administration of Chogoria Boys High School to register two Form Four Candidates	Hon T. Ngoyoni	Assistant Minister for Education, Science and Technology ( Hon. Dr. K. Mwiria)	Answered on Thursday April 22, 2004 (16 <sup>th</sup> Sitting)
28	Concerning retrenching of 6,000 employees of Telkom Kenya Limited	Hon. J. Angweni	Minister of Transport and Communication (Hon J. Michuki)	Answered on Thursday April 22 <sup>nd</sup> 2004 (16 <sup>th</sup> Sitting)
29	Concerning the Washing away of the rail road between Voi and Taveta	Hon B. Mganga	Minister for Transport and Communication (Hon. J. Michuki)	Answered on Thursday April 22 <sup>nd</sup> 2004 (16 <sup>th</sup> Sitting)
30	Concerning probe of Kiss FM radio station and defamation of innocent people by media houses	Hon R. Ndolo	Minister for Information and Tourism (Hon R. Tuju)	Answered on Thursday April 22 <sup>nd</sup> 2004 (16 <sup>th</sup> Sitting)
31	Concerning inability of Mr. Daniel Kigochi Waimiri to take up employment offered due to lack of certificate of good conduct	Hon K. Wamwere		Deferred
32	Concerning the position	Hon K.	Assistant Minister	Answered on

	of the Government on the rehabilitation of former prisoners	Wamwere	in the Office of the President (Hon. S. Tarus)	Tuesday 27 <sup>th</sup> April 2004.(16 <sup>th</sup> Sitting)
33	Concerning the shooting of two students	Hon. Masanya	Assistant Minister in the Office of the President (Hon. S. Tarus)	Answered on Tuesday 27 <sup>th</sup> April 2004 (16 <sup>th</sup> Sitting)
34	Concerning the extensive damage to Ekwanda Primary School	Hon. Marende	Assistant Minister for Education, Science and Technology(Hon. Beth Mugo)	Answered on Tuesday 27 <sup>th</sup> April 2004 (16 <sup>th</sup> Sitting)
35	Concerning the closure of a medical training college in Siaya	Hon S. Weya	Assistant Minister of Health, (Hon G. Konchella)	Answered on Tuesday 4 <sup>th</sup> May 2004 (16 <sup>th</sup> Sitting)
36	Concerning fire fighting service in Nairobi	Hon J. Angweni	Assistant Minister For Education, Science and Technology (Hon B. Tett)	Answered on Wednesday 5 <sup>th</sup> May 2004 (16 <sup>th</sup> Sitting)
37	Concerning detention of the body of Ms Isabella Sela Rapando at St Elizabeth Mission Hospital Mukumu for six weeks	Hon Osundwa	Assistant Minister of Health (Hon G. Konchella)	Answered on Thursday 29 <sup>th</sup> April 2004 (16 <sup>th</sup> Sitting)
38	Concerning harassment and arrest of innocent residents in Mosop constituency	Hon Sambu		Deferred
39	Concerning the gunning of two school boys by unknown assailants on April 13, 2004	Hon T. Ngoyoni		Dropped on Tuesday 13 April, 2004 (16 <sup>th</sup> Sitting)
40	Concerning families rendered homeless due to recent demolition of homes by Nairobi City Council	Hon Ali Bahari	Minister for Local Government (Hon Maitha)	Answered on Tuesday 11 <sup>th</sup> May, 2004 (16 <sup>th</sup> Sitting)
41	Concerning the exclusion of some centres from the French government sponsored rural electrification	Hon S. Ojaamong	Minister for Energy (Hon Ayacko)	Answered on Tuesday 4 <sup>th</sup> May 2004 (16 <sup>th</sup> Sitting)
42	Concerning the illegal seizure of Africot company	Hon Wakoli	Assistant Minister for Co-operative Development and	Answered on Tuesday 11 May 2004 (16 <sup>th</sup> Sitting)

			Marketing (Hon Kenneth)	
43	Concerning the Fire that destroyed part of City Hall, Nairobi	Hon Kamanda	Assistant Minister for Local Government (Hon B. Tett).	Answered on Thursday 6 <sup>th</sup> May 2004 (16 <sup>th</sup> Sitting)
44	Concerning the number of Kenyans who die annually of Malaria	Hon Okioma	Assistant Minister of Health G. Konchella	Answered on Thursday 6 <sup>th</sup> May 2004 (16 <sup>th</sup> Sitting)
45	Concerning farmers from Dundori and Bahati Forests	Hon K. Wamwere		Deferred
46	Concerning death of Albert Okoth Ojwanga a Standard Seven pupil at Magare Primary School allegedly due to an over speeding presidential escort vehicle.	Hon Prof. Alweny	Assistant Minister of in the Office of the President (Hon. S. Tarus)	Answered on Thursday 6 <sup>th</sup> May 2004 (24 <sup>th</sup> Sitting)
47	Concerning recruitment of Voter Registration Clerks by the Electoral Commission	Hon Akaranga	Assistant Minister for Justice and Constitutional Affairs Hon. R. Githae	Answered on Thursday 6 <sup>th</sup> May 2004 (24 <sup>th</sup> Sitting)
48	Concerning removal of suspended judges from the payroll	Hon. Kajwang		Deferred.
49	Concerning demolition of homes in Nairobi by the Nairobi City Council	Hon. Bahari		Deferred
50	Concerning the takeover of Malaba - Malakisi Ginnery	Hon. Wakoli	Assistant Minister for Co-operative Development and Marketing	Answered on Tuesday 11 <sup>th</sup> May 2004
51	Concerning the removal of suspended judges from payroll	Hon. Kajwang'		Deferred
52	Concerning the harassing and arresting of innocent people by officers from Kabiyeet Police Post	Hon. Sambu		Deferred
53	Concerning the eviction of farmers from forests	Hon. Wamwere		Deferred

**APPENDIX IV: SUSPENSION OF MEMBERS IN THE SESSION**

<b>Hon. Member</b>	<b>Party</b>	<b>Constituency</b>	<b>Date/Sitting</b>	<b>Reason (S.O)</b>	<b>Period</b>
M. Sirma	KANU	Eldama Ravine	31/ 03/ 04 Wednesday	Disorderly Conduct (88 i)	Remainder of sitting day
P. Odoyo	NARC	Nyakach	17/ 04/ 04 Wednesday	Disorderly Conduct (88 i)	Remainder of sitting day
R. Wanjala	NARC	Budalangi	27/ 04/ 04 Tuesday	Disorderly Conduct (88 i)	Remainder of sitting
Mghanga	NARC	Wudanyi	29/ 04/ 04 Thursday	Disorderly Conduct (88 i)	Remainder of sitting

*Source: Votes and Proceedings, Ninth Parliament, Second session.*

Bill No.	SHORT TITLE	MINISTRY	DATE PUBLISHED	CIRCULATED	IRST READING	2 <sup>ND</sup> READING	3 <sup>RD</sup> READING	REMARKS
1	The Constitution of Kenya (Amendment) Bill, 2004	Justice & Constitutional Affairs	9.03.04	17.03.04	-	-	-	
2.	The Constitution of Kenya Review (Amendment) Bill, 2004	Justice & Constitutional Affairs	9.03.04	17.03.04	-	-	-	
3.	Government Financial Management Bill, 2004	Finance	31.03.04	06.04.04	14.04.04	15.04.04		
4.	The Privatization Bill, 2004	Finance	31.03.04	06.04.04	14.04.04	28.04.04		
5.	The Co-operative Societies (Amendment) Bill, 2004	Cooperative Development	08.04.04	14.04.04	27.04.04	05.05.04		
6.	The Investment Promotion Bill, 2004	Trade and Industry	21.04.04	29.04.04	05.05.04			
7.	The Forests Bill, 2004	E & NR	21.04.04	29.04.04	05.05.04	25.05.04		
8.	The Supplementary Appropriation Bill, 2004	Finance	30.04.04	10.05.04	13.05.04	13.05.04	13.05.04	



