

KENYA NATIONAL ARCHIVES

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Description of Document THE NATIONAL ASSEMBLY. HOUSE OF REPRESENTATIVES.

OFFICIAL REPORT. VOL. I. (Part I).

Covering Dates 7th June to 19th July, 1963.

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GOVERNMENT OF KENYA

THE NATIONAL ASSEMBLY
HOUSE OF
REPRESENTATIVES
OFFICIAL REPORT

1st PARLIAMENT
7th JUNE, 1963

VOLUME I
PART I

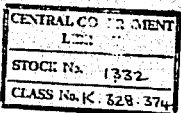
First Session—Part I

Tuesday, 7th June, to Friday, 19th July, 1963

NOTE.—This Volume has been printed in two parts—the complete index has been included at the end of Part II

DAYS OF SITTING

Day	Column No.	Day	Column No.
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CORRIGENDA TO THE OFFICIAL REPORT OF THE HOUSE OF REPRESENTATIVES (VOL. I)

Col. No.	
111	For "Minister for Natural Resources", read "Parliamentary Secretary for Natural Resources".
112	For Question No. 3, for title, "Integrated System of Education", read "Kenya Students Overseas".
118	For "Minister for Natural Resources", read "Parliamentary Secretary for Natural Resources".
167	For "Mr. Kaggia", read "Parliamentary Secretary for Education (Mr. Kaggia): The Minister is coming. Can we not wait until he is here?"
179	For "Mr. Godana", read "Mr. G. Godana".
196-198	For "Mr. Mutiso", read "Mr. G. M. Mutiso".
211 & 212	For "Mr. Kariuki", read "Mr. G. G. Kariuki", wherever he speaks.
213 & 214	At bottom of Column 212, for "The hon. Member", read "Mr. G. G. Kariuki".
216	Top of Column, insert "Question No. 2" above Title and add "College" after "University" in title.
219	Insert "Question No. 4", above Title, "Integrated System of Education".
227	For "Mr. Mokokha", read "Mr. Makokha".
303 & 305	Top of Column. For "Parliamentary Secretary for Home Affairs", read "Parliamentary Secretary to the Treasury".
314-317	For "Mr. Kariuki", read "Mr. J. M. Kariuki".
339	For "Mr. Mutiso", read "Mr. M. M. Mutiso".
427	For "Mr. Kibaki", read "Parliamentary Secretary to the Treasury (Mr. Kibaki):"
484	Delete, "The Minister for Agriculture and Animal Husbandry seconded". Insert, "(Question proposed)".
546	Delete, "The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded" at top of column in middle of Minister for Finance's speech.
549	Delete "The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) the second time it appears in his speech.
846	For "Mr. Godana", read "Mr. G. Godana".
917	For "Mr. Kibwaga", read "Mr. Omweri".
937	Mr. Ngai speaking—for "Mwya Tibera", read "Mwea Tebere".
1013	Question No. 41—Title, delete "Servants" and replace by "Services".
1015	Delete "The Minister for Education (Mr. Otieno) seconded" in middle of column.
1122	For "Mr. Speaker", read "The Speaker".
1147 & 1148	For "The Minister for Labour and Social Services (Mr. Mwendwa)", read "The Minister for Works, Communications and Power (Mr. Mwanjumba)" wherever it appears.
1162	Foot of column. Insert "The Minister for Finance and Economic Planning, (Mr. Gichuru) seconded" and "(Question proposed)" underneath it.

THE NATIONAL ASSEMBLY
KENYA HOUSE OF
REPRESENTATIVES

LIST OF MEMBERS

Speaker:

THE HON. HUMPHREY SLADE

Deputy Speaker and Chairman of Committees:

THE HON. F. R. S. DE SOUZA

Ministers:

THE PRIME MINISTER (The Hon. J. Kenyatta).
MINISTER FOR HOME AFFAIRS (The Hon. A. O. Odinga).
MINISTER FOR JUSTICE AND CONSTITUTIONAL AFFAIRS (The Hon. T. J. Mboya).
MINISTER FOR FINANCE AND ECONOMIC PLANNING (The Hon. J. S. Gichuru).
MINISTER OF STATE (PRIME MINISTER'S OFFICE) (The Hon. J. Murumbi).
MINISTER FOR EDUCATION (The Hon. J. D. Otiende).
MINISTER FOR LOCAL GOVERNMENT (The Hon. S. O. Ayodo).
MINISTER FOR COMMERCE AND INDUSTRY (The Hon. Dr. J. G. Kiano).
MINISTER FOR WORKS, COMMUNICATIONS AND POWER (The Hon. D. Mwanjumba).
MINISTER FOR LABOUR AND SOCIAL SERVICES (The Hon. E. N. Mwendwa).
MINISTER FOR NATURAL RESOURCES (The Hon. L. G. Sagini).
MINISTER FOR HEALTH AND HOUSING (The Hon. Dr. N. Mungai).
MINISTER FOR INFORMATION, BROADCASTING AND TOURISM (The Hon. R. Achieng-Onyko).
MINISTER OF STATE FOR PAN-AFRICAN AFFAIRS (The Hon. M. Koinange).
MINISTER FOR AGRICULTURE AND ANIMAL HUSBANDRY (The Hon. B. R. McKenzie, D.S.O., D.F.C.)
MINISTER FOR LANDS AND SETTLEMENT (The Hon. J. H. Angaino).

Parliamentary Secretaries:

- PRIME MINISTER'S OFFICE (The Hon. Chanan Singh).
(1) MINISTRY OF INTERNAL SECURITY AND DEFENCE (The Hon. Dr. M. L. Wajiyaki).
MINISTRY OF HOME AFFAIRS (The Hon. D. N. C. Moss).
(2) MINISTRY OF JUSTICE AND CONSTITUTIONAL AFFAIRS (The Hon. J. Nyamweya).
MINISTRY OF FINANCE AND ECONOMIC PLANNING (The Hon. T. Okelo-Odongo).
THE TREASURY (The Hon. M. Kibaki).
MINISTRY OF EDUCATION (The Hon. B. M. Kagga).
MINISTRY OF LOCAL GOVERNMENT (The Hon. J. L. N. ole Konchellah).
MINISTRY OF WORKS, COMMUNICATIONS AND POWER (The Hon. J. I. M. Nysgab).
MINISTRY OF LABOUR AND SOCIAL SERVICES (The Hon. J. Odero-Jowi and The Hon. F. P. K. Kubal).
(3) MINISTRY OF NATURAL RESOURCES (The Hon. K. K. Njiih).
(4) MINISTRY OF HEALTH AND HOUSING (The Hon. C. M. G. Argwings-Kodhek).
MINISTRY OF INFORMATION, BROADCASTING AND TOURISM (The Hon. H. J. Onamui and The Hon. Senator J. Machio).
MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY (The Hon. J. C. N. Ojogo).
MINISTRY OF LANDS AND SETTLEMENT (The Hon. P. D. Marria).
MINISTRY OF COMMERCE AND INDUSTRY (The Hon. J. Mohamed).

LIST OF MEMBERS—(Contd.)

Constituency Members:

- * ACHIENG-ONEKO, R., Nakuru Town (KANU).
- AGAR, E. O., Karichoonyo (KANU).
- * ANGAINE, J. H., Meru West (KANU).
- ANYENI, Z. M., Majogo-Bassi (KANU).
- ARLEMAN, P. A., Turkana North (KANU).
- † ARGWINGS-KODIEK, C. M. G., Gem (KANU).
- * AYODO, S. O., Kasipul-Kaboado (KANU).
- BIBU, M., Mombasa Malindan (KADU).
- BALA, O., Nyando (KANU).
- BARASA, M., Elgon-East (KADU).
- BONAYA, A. W., Isiolo (KANU).
- CHOGI, S. K., Arap, Nandi South (KADU).
- DE SOUZA, F. R. S., Nairobi North-east (KANU).
- DIOSIRE, A. H., Taveta Voi (KANU).
- ERITILLA, G. K., Turkana South (KANU).
- GACHIGO, J. M., Kibaru (KANU).
- GACIATA, A. L., Nyambene South (KANU).
- GATUDUTA, J. K., Kikuyu (KANU).
- GICHOKA, K. N., Gichugu (KANU).
- * GICHURU, J. S., Limuru (KANU).
- GODANA, E. D., Rendile (KANU).
- GODANA, G., Marsabit-Moyale (KANU).
- GODIA, C. S. I., Hamisi (KANU).
- ITHIRAI, S., Nyambene North (KANU).
- JAMAL, A. H., Kisumu Town (KANU).
- † KAGGIA, B. M., Kandara (KANU).
- KALI, J. D., Nairobi East (KANU).
- KAMAU, W., Githunguri (KANU).
- KAMUNDE, S., Meru Central (KANU).
- KAMUREN, W. R., Arap, Baringo East (KADU).
- KARIUKI, G. G., Laikipia-Nanyuki (KANU).
- KARIUKI, J. M., Aberdare (KANU).
- KASE, J. Z., Tana River (KADU).
- † KENYATTA, J., Thika-Githungu (KANU).
- KEKICI, A. K., Arap, Belgut (KADU).
- KEKERE, G. H., Elgon-Central (KANU).
- KIASAKIALA, E. E., Emukhaya (KADU).
- KIAMEA, D. I., Machakos Central (KANU).
- * KIANO, Dr. J. G., Kangema (KANU).
- † KIBAKI, M., Nairobi Doonholm (KANU).
- KINDIGI, J. N., Ndia (KANU).
- KIKOKO, S. M., Machakos East (KANU).
- KIPROTICI, C., Kericho East (KANU).
- * KODANGE, M., Kisumu (KANU).
- † KONCHILLAU, I. L. N., OLE, Narok East (KANU).
- † KUAI, F. P. K., Nakuru East (KANU).
- LOREMA, J. P., West Pokot (KANU).
- MAISORI-ITUMBO, B. C., Kuria (KANU).
- MAKOKHA, C. C., Elgon South-west (KANU).
- MAKONG, O., Kitutu East (KANU).
- MASINDE, J. W., Lurambi (KADU).
- MATANG, R. S., Kwale West (KADU).
- † MATI, F. M. G., Kitui North (KANU).
- † MATI, P. N., Kitui South (KANU).
- * MBOONYA, G. J., Embu North (KANU).
- * MBOYA, T. J., Nairobi Central (KANU).
- MOL, D. T., Arap, Baringo North (KADU).
- MONGARE, T. M., North Mugirango (KANU).

LIST OF MEMBERS—(Contd.)

Constituency Members—(Contd.)

- † MOSS, D. N. C., Mount Elgon (KANU).
- MULAMA, A. O., Mumias (KANU).
- MULIRO, M., Trade Nzola (KADU).
- * MUNDAI, Dr. N., Nairobi West (KANU).
- MURGOR, W. C., Elgeyo (KADU).
- MURULLI, J., Ikolomani (KADU).
- * MURUMBI, J. A., Nairobi South (KANU).
- § MUTISO, G. M., Yatta (KANU).
- ** MUTISO, M. M., Machakos East (APP).
- § MWALWA, T. M., Kitui East (KANU).
- § MWANZANDI, K. B., Kwale East (KADU).
- * MWANYUMBA, D., Wundanyi (KANU).
- MWATSAMA, J. J., Kilifi North (KADU).
- * MWENDWA, E. N., Kitui Central (KANU).
- § NDILE, J. K., Machakos South (KANU).
- § NGALA, R. G., Kilifi South (KADU).
- NGALA-ABOK, C. B., Homa Bay (KANU).
- § NGEI, P. J., Machakos North (KANU).
- NIERU, I., Tharika (KANU).
- † NIIRI, K. K., Kigumo (KANU).
- NYAGA, P., Meru South (KANU).
- † NYAGAH, J. J. M., Embu South (KANU).
- † NYASWEYA, J., Nyaribari (KANU).
- OBOK, L. R., Alego (KANU).
- † ODERO-IOWI, J., Lambwe (KANU).
- ODERO-SAR, J., Ugenya (KANU).
- * ODINGA, A. O., Bondo (KANU).
- ODUYA, G. F., Elgon West (KANU).
- † OKELO-ODONGO, T., Kisumu Rural (KANU).
- OKWANYO, J. H., Migori (KANU).
- OLOTTIPITIP, S. S. OLE, Kajjado (KADU).
- OMAR, S. T., Mombasa Island South (KADU).
- OMWERI, S. K., Wanjare-South Mugirango (KANU).
- † ONAMU, H. J., Nakuru West (KANU).
- † OSOORO, J. C. N., Ruwamba (KANU).
- * OTTENDE, J. D., Vihiga (KANU).
- OYOO, O., Winam (KANU).
- PANDYA, A. J., Mombasa Island North (KADU).
- RURUMBIAN, P. L., Korosi (KADU).
- * SAGINI, L. G., Kituu West (KANU).
- SERONEY, M. J., Nandi North (KADU).
- SHIKUKU, J. M., Butere (KADU).
- SOI, A. K., Arap, Banet (KADU).
- SOMO, A., Lamu (KANU).
- TANU, J. K. K., Arap, Baringo South (KADU).
- THEUAI, J. K., Nyeri (KANU).
- TIPIS, J. K. OLE, Narok East (KADU).
- TOO, V. K., Arap, Marakwet (KADU).
- TOWEIT, T., Buret (KADU).
- TUVA, F. B., Malindi (KADU).
- TUWEL, J. K., Uasin-Gishu (KADU).
- † WAFYAKI, Dr. F. L. M., Nairobi North-east (KANU).
- WAMUTHENYA, A. K., Mathira (KANU).
- WARITHI, H. C., Othaya-South Tetu (KANU).

LIST OF MEMBERS—(Contd.)

Specially Elected Members

ALEXANDER, R. S. (KADU).
BALALA, S. M. (KANU).
BOMETT, E. K. K. ARAP (KANU).
CHIEFTKIT, J. K. ARAP (KANU).
JAHAZI, M. D. (KANU).
KOMORA, J. G. (KANU).
MALINDA, T. N. (KANU).
† MARRIAN, P. D. (KANU).
* MCKENZIE, B. R. (KANU).
† MOHAMMED, J. (KANU).
SADALLA, S. K. ARAP KOLCHI (KANU).
† SINGH, CHANAN (KANU).

Total KANU = 93
Total KADU = 30

Grand Total = 123

Seats Vacant = 6 (five from North-eastern Region where no elections held; one from Machakos West pending by-election)

Clerk of the House:
MR. H. THOMAS

Clerk Assistant:
MR. J. KIBANI

Clerk Assistant:
MR. C. R. COELHO

Clerk Assistant:
MR. G. OPUNDO

Serjeant-at-Arms:
MAJOR M. G. ELIOT

Assistant Serjeant-at-Arms:
MR. J. O. RAMBAYA

Speaker's Secretary:
MRS. J. FRYER

Hansard Editor:
MRS. J. D. RAW

Hansard Staff:
MISS S. M. MARKS

MISS S. G. FROST, MISS P. J. MEYER, MISS M. M. CAUSON, MISS A. D. DUNCAN,
MISS S. C. CLOSE, MISS M. Z. FONSECA, MISS R. KING

* Already included in the list of Ministers.

† Already included in the list of Parliamentary Secretaries.

‡ The Prime Minister.

§ Previously Member of A.P.P. Crossed Floor to Government side on 12-9-63.

¶ The Deputy Speaker and Chairman of Committees.

** Member disqualified as a result of Election Inquiry and seat declared vacant on 17-9-63 pending re-election.

(1) w.e.f. 10-7-63—previously Parliamentary Secretary for Health and Housing.

(2) w.e.f. 10-7-61.

(3) w.e.f. 10-7-63 vice Mr. Argwings-Kodhek made Parliamentary Secretary for Health and Housing.

(4) w.e.f. 10-7-63—previously Parliamentary Secretary for Natural Resources.



GOVERNMENT OF KENYA

THE NATIONAL ASSEMBLY

HOUSE OF REPRESENTATIVES

First Session—First Sitting

Friday, 7th June, 1963

The House met at three o'clock at Parliament Buildings on Friday, 7th June, 1963, it being the first day of the first meeting of this House of Representatives, pursuant to a Proclamation dated 1st June, 1963, and signed by His Excellency the Governor.

The Proceedings were opened with Prayer read by the Clerk.

ELECTION OF SPEAKER

The Clerk to the House of Representatives, Hugh Thomas, Esquire, explained the procedure required for the election of the Speaker, pursuant to the provisions contained in section 36, Nos. 1 and 2, of the Constitution. He stated that although only one nomination had been received, that of Humphrey Slade, Esquire, it was still necessary to hold a ballot. A two-thirds majority was required of the total number of Members, which meant that 83 votes must be cast in favour of the election of Mr. Slade. If after two ballots, there was still not a two-thirds majority, the result of a third ballot could be decided on a simple majority.

Honourable Members proceeded to cast their votes and after the closing of the ballot the count was taken. The Clerk then announced to the assembled Members that Humphrey Slade, Esquire, had received 120 votes in favour of his election as Speaker. He thereupon instructed the Serjeant-at-Arms to search out Humphrey Slade, Esquire, and to conduct him to the Chamber.

On the arrival of the Speaker-Elect, Humphrey Slade, Esquire, all Honourable Members rose. The Speaker-Elect was thereupon escorted to the Chair by the Prime Minister, the Hon. Jomo Kenyatta, and the Leader of the Opposition, the Hon. R. Ngala. The Clerk thereupon administered the Oath of Allegiance to the Speaker-Elect.

The Speaker, the Hon. Humphrey Slade, then took the Chair and the Mace (which before lay under the Table) and was placed upon the Table.

The Speaker (Mr. Slade): Hon. Members, by electing me as your Speaker you have today conferred upon me the greatest honour that I have known or shall ever know: in thanking you for this honour I pledge myself to give all that I have to the service of your House. I acknowledge, according to tradition, that, though I am privileged to be your collective figurehead and spokesman, I am no more than your servant. It will be my duty to all of you to enforce strict compliance with your own rules of procedure, and to ensure that the voice of the minority is always given a fair hearing; but only with those two important reservations, I shall bow to the will of the majority, or such special majority as our Constitution may require for special occasions.

Now let me speak for a few moments on matters which are far more important than my own position, and which are in your hands. This new House of Representatives faces today a period of immense responsibility, but of glorious opportunity. What we do in this House during the next few years will not only set the pattern of future Parliaments in Kenya. It will also, God willing, give the lie throughout the world to those who say that emergent African states cannot or will not practice the true principles of democracy. If such is your objective—as I hope and believe it is—you have only to fix firmly in your mind four elementary principles.

The first is to be determined at all times to maintain the dignity of this House; whatever I may say or do, that eventually rests with you. Secondly, the Government of the day must appreciate and make full use of this House, not only as a source of the money and laws which it requires, but also as the forum where it will hear and answer criticism from representatives of all the people of Kenya, and, no less important, as the constant meeting ground of those representatives from all parties and from all parts of our country. Thirdly, the Government must treat the

[The Speaker]

Opposition with respect. Whether the Opposition today is or is not to be the Government of another day—(Opposition applause.)—whether or not this is so, I say—(Government applause.)—there can be no democracy unless the Government seeks the support of the whole country by entertaining the advice of all the country's chosen representatives.

Fourthly, the Opposition must earn that respect; they will do so by the extent of the interest they show in the responsibilities and activities of the Government, and by the nature of their criticism. Let it be strong, let it be even fierce, but always let the basic thought behind it be the welfare of this country and not petty scoring points, especially in times of national emergency.

Hon. Members, the responsible utterances of all parties immediately after the General Election have convinced me that you already understand and appreciate these principles; only I ask you to remember them in the coming days and years. Hold to those four principles, and this House will be as a lighthouse, a lighthouse which will not only stand against all tumultuous seas but will hold out hope and guidance to all who sail on those seas, in Kenya, in East Africa, and throughout this great continent.

Now may God bless all of you and help you in your great task and opportunity. May God bless Kenya and her people.

Hon. Members, I must now go and robe, and I think you would like time for tea, so I shall adjourn the House until ten minutes past four this afternoon.

ADJOURNMENT

(The House resumed at 4.10 p.m.)

ADMINISTRATION OF OATHS

The Oath of Allegiance was administered to the following Members:—

Jumo Kenyatta.
Ajuma Oginga Odinga.
Thomas Joseph Mboya.
James Gichuru.
Joseph Anthony Murumbi.
Joseph Daniel Otende.
Samuel Onyango Ayodo.
Julius Gikonyo Kiano.
Dawson Mwanjumbwa.
Eliud Ngala Mwendwa.
Lawrence George Sagini.
Njoroge Mutunga.
Ramoji Acheng Oenke.
Mbiyu Peter Koinange.
Elijah Omolo Agar.

Jackson Harvester Anyaine.
Zephaniah Mgande Anyieni.
Peter Andrew Aremam.
Chiedo More Gem Arwings-Kodhek.
Mwinye Babu.
Okuto Bala.
Mark Barasa.
Simeon Kiptum Choge.
Fizval Remedios Santana De Souza.
Alexander Harry Dingiria.
George Kanorunyang Ekitella.
Jesse Mwangi Gargaho
Abraham L. Gaciatta.
Joseph Kararaha Gatuguta.
Kimani Njiru Gichoya.
Elisha Daniel Godana.
Galgallo Godana.
Stanley Imbanga Godia.
Samuel Ithiria.
Amir Hasham Jamal.
Biddad Magano Kaggia.
John David Kali.
Waira Kamau.
Simon Kamunde.
Willy Rotich arap Kamuren.
Godfrey Gitahi Kariuki.
Joseph Mwangi Kariuki.
Japhet Zacharia Kase.
Alfred Kipruto arap Kerich.
George Henry Kerre.
Edward Eric Khaakhala.
David Itumo Kiamba.
Mwai Kibaki.
James Njagi Kibuga.
Samuel Omweri Kibwage.
Simeon Musau Kioko.
Christopher Kiprotich.
John Leboi Nehrino ole Konchellat.
Frederick Polwarth Kibuthu Kubai.
Jacob Pletio Lorema.
Christopher Crowther Makotha.
Benjamin Chacha Maisori-Itumbo
Ombese Makoto.
Jonathan Welangi Masinde.
Robert Stanley Matano.
Frederick Mbiti Gideon Mati.
Philip Nzuki Mbat.
Gerishon John Mbogoh.
Daniel Toroitich arap Moi.
Thomas Masaki Mongare.
Daniel Naibei Chepanoi Moss.
Abraham Owori Mutama.
Masinde Muliro.
William Cherop Murgor.
Jonathan Muruli.
Gideon M. Mutiso.
Mathew M. Mutiso.
Thomas Musyoka Mwaiala

Kassim Bakari Mwanzandi.
Julius J. Mwatsama.
Julius Kyengo Ndile.
Ronald Gideon Ngala.
Clement Berder Ngala-Obok.
Paul Joseph Ngei.
James Njeru.
Karuziki Karanja Njiri.
Philip Nyaga.
Jeremiah Joseph Mwaniki Nyagah.
James Nyamwaya.
Luke Rarieya Obok.
John Odero-Sar.
Joseph Odero-Jowi.
George Fred Oduya.
Odongo Thomas Okelo-Odongo.
John Henry Okwanyo.
Stanley Shapashina ole Oloilipitip.
Sammie Tsalwambi Omar.
Harry James Onamu.
James Charles Nakhwanga Osogo.
Otieno Oyoo.
Annant Jaganath Pandya.
Paul Lentano Kurumban.
Marie John Seroney.
Joseph Martin Shikuku.
Alfred Kimunai arap Soi.
Abu Somo.
Job Kibichi Kibet arap Tanui.
Justus Kandelole Tipis.
Joseph Kiboi Tsurui.
Vincent Komen arap Too.
Taita Towett.
Francis Bobi Tuva.
Justin Kaptingei Tuwei.
Frederick Lawrence Munyua Waiyaki.
Adam Bonaya Wako.
Anderson Kangeri Wamuthenya.
Henry Clement Warilthi.
Reginald Stanley Alexander.
Salim Mohamed Balala.
Eric Kibet Koraa arap Bomett.
Jackson Kitii arap Chepukit.
Mohamed Jahazi.
Joseph Gijo Komera.
Thomas Nziki Malinda.
Peter Derek Marrian.
Bruce McKenzie.
Jan Mohamed.
Shem Kipn'gok arap Koehc Sadalla.
Chanan Singh.

ELECTION OF DEPUTY SPEAKER

The Speaker (Mr. Slade): Hon. Members we have received two nominations for election as Deputy Speaker, Mr. F. R. S. de Souza, who is proposed by Mr. Kenyatta and seconded by Mr. Odinga, and Mr. Frederick Mbiti Gideon Mati,

who is proposed by Mr. Ngala and seconded by Mr. Ngei. As there are two nominations we have to proceed to a Ballot, and for either candidate to be successful in the first Ballot there must be the support of at least two-thirds of the Members of the House.

You are very busy to voting by now, so I will not waste any of your time by explaining the procedure. Will you sit down until you have seen that the Ballot Box is empty, and stay seated until the box has been locked.

Hon. Members, the box is locked and you can collect your ballot papers, but please wait until I have sat down. You will each put one cross against your choice. If you make any other marks of any kind your paper will be spoiled. The procedure will be the same as before as regards taking your ballot papers from either side, and you must see that your ballot paper is duly stamped before you proceed.

(Honourable Members proceeded with the Ballot)

The Speaker (Mr. Slade): Hon. Members, I have to declare that the result of that poll does not result in any election. Mr. de Souza received 79 votes, which is four short of the minimum number required, and Mr. Mati received 41. The minimum required is two-thirds of all the Members of the House, there are 124 Members, so two-thirds is 83. There will have to be a second ballot, where again that majority is required for either of the candidates to win. We will proceed again by showing you the Ballot Box and locking it.

(Honourable Members then proceeded with the Second Ballot)

The Speaker (Mr. Slade): Hon. Members, I have to declare the result of the second ballot. Mr. de Souza 82 votes, Mr. Mati 40 votes. Mr. de Souza falls short by one of the required number, so I am afraid there will be a third ballot, in which case a simple majority of those voting will carry the day.

(Honourable Members then proceeded with the Third Ballot)

The Speaker (Mr. Slade): Hon. Members, I have to inform you that the third ballot has resulted in Mr. de Souza receiving 77 votes, Mr. Mati 41 votes. This ballot, the third, requiring only a simple majority, I therefore declare Mr. F. R. S. de Souza to have been elected Deputy Speaker.

Mr. De Souza: Mr. Speaker, Sir, Hon. Members, I am deeply conscious of the great honour and

[Mr. De Souza] high responsibility which has been conferred upon me today and I am extremely grateful for this honour. Sir, this House, as you pointed out earlier, has great traditions to uphold. This House consists of representatives of the people of this country, it is the bulwark of the democratic process that we are all anxious to see in this country, it is the guardian of the liberties and freedoms of our people. I promise, Sir, you and all the Members of this House, that I will in my own small way assist you and the Members of this House to uphold that tradition and to protect the freedoms and liberties of our people. I am conscious that this has been a party election, but I would like to assure all Members of the House that in the performance of my tasks and the carrying out of my responsibilities I shall be fair, just and impartial at all times.

PAPERS LAID

The following papers were laid on the Table:—

Draft Standing Orders of the House of Representatives, Kenya.

National Assembly booklet.

(By the Minister for Finance and Economic Planning (Mr. Gichuru) on behalf of the Prime Minister and the Leader of the House (Mr. Kenyatta))

Estimates of Recurrent Expenditure of the Government of Kenya for the year ending 30th June, 1964.

Development Estimates for the year 1963/64.

Economic Survey, 1963.

Supplementary Estimate No. 2 of 1962/63.

Development Supplementary Estimate No. 1 of 1962/63.

(By the Minister for Finance and Economic Planning (Mr. Gichuru))

NOTICES OF MOTIONS

RELEASE OF RESTRICTEES

[Mr. Neshi Mr. Speaker, Sir, I would like to give a notice of Motion:—

That this House agrees that Wako Happi, Alessio Kholihole, Heri Haji Jama and Mohamed Farah Musa, who are being restricted under the Security Restriction Orders issued by the Minister of Defence, be released or brought to trial and be given a chance to defend themselves against the charges levelled against them.

The Speaker (Mr. Slade): I would like to inform hon. Members that under Standing Orders

Notices of Motions can only be given after they have been approved by the Speaker. That was not possible today because you had no Speaker at the time you sat, so these notices are in order today.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to give notice of the following two Motions:—

SUPPLEMENTARY ESTIMATE No. 2 of 1962/63—
COLONY

THAT a sum not exceeding £553,421 be granted to the Governor on account for, or towards, defraying the charges of Colony Supplementary Estimate No. 2 of 1962/63.

SUPPLEMENTARY ESTIMATE No. 1 of 1962/63—
DEVELOPMENT

THAT a sum not exceeding £1 be granted to the Governor on account for, or towards, defraying the charges of Development Supplementary Estimate No. 1 of 1962/63.

Mr. Towett: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

OFFICIAL DRESS FOR MEMBERS

THAT this House, being aware of the innumerable tribal dresses and oddities and being concerned about the lack of a uniform official dress that could be adopted by the Members of this House, urges Government to set up a dress committee to recommend the design and form of an official dress to be worn by the Members of this House.

BILLS

First Readings

THE SECOND-HAND VEHICLES PURCHASE TAX BILL.

THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL.

(The Bills were read a First Time and ordered to be read a Second Time tomorrow)

The Speaker (Mr. Slade): Hon. Members, that concludes the business on the Order Paper. There is one point of order I would mention before adjournment. I notice that some hon. Members were forgetting to bow as they came in and out of the Chamber. I would ask them to bear it in mind. These formalities are important to the dignity of the House.

I have also an announcement to make concerning seats for guests of Members next Tuesday on the Ceremonial Opening of the National Assembly and the hearing of the Budget Speech. As hon.

[The Speaker]

Members know there are not enough seats unfortunately for every hon. Member to have his guest here; so there is to be a ballot, and that will be drawn by members of the staff here at Parliament Buildings tomorrow at 8.45, and the result will be posted in the main hall immediately afterwards. The Members who have applied for tickets and are successful in this ballot will be able to

get their tickets for their guests at 10 a.m. tomorrow morning.

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until Tuesday, 11th June, 1963, at 2.30 p.m.

(The House rose at thirty-five minutes past Six o'clock)

Tuesday, 11th June, 1963

The House met at twenty-five minutes past two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

(Prayers were read by the Speaker's Chaplain)

COMMUNICATION FROM THE CHAIR

ARRIVAL OF HIS EXCELLENCY THE GOVERNOR

The Speaker (Mr. Slade): Hon. Members, it is the pleasure of His Excellency the Governor to attend a meeting of the National Assembly at 3.15 this afternoon. I shall therefore suspend the business of this House after the third Order of the Day, so that the Senate may join us and form the National Assembly in this Chamber. His Excellency will be welcomed by the two Speakers and by the Leader of this House. After His Excellency has addressed the National Assembly, the Senate will leave us and the business of this House will be resumed. But, I shall then adjourn the sitting until 4.30 p.m.

PAPERS LAID

The following Papers were laid on the Table:—

The Advocates Pupillage (Amendment) Regulations, 1963.

(By the Minister for Justice and Constitutional Affairs (Mr. Mboyo))

Kenya African Agricultural Sample Census, 1960/61.

The Pensions (Amendment) Regulations, 1963. The Petroleum and Fuel Oil Tax (Refund) (Amendment) Regulations, 1963.

(By the Minister for Finance and Economic Planning (Mr. Gichuru))

Labour Department Annual Report, 1961.

The Building and Construction Industry Wages Council Establishment (Amendment) Order, 1963.

The Tailoring, Garment Making and Associated Trades Wages Council Establishment (Amendment) Order, 1963.

The Road Transport Wages Council Establishment (Amendment) Order, 1963.

(By the Minister for Labour and Social Services (Mr. Mwendwa))

Nyanza Province, Marketing Board, Sixth Annual Report, Balance Sheet and Accounts for the financial year ended 31st July, 1962.

The Agriculture (Land Utilization) (Farm Employes) Rules, 1963.

The Crop Production and Livestock (Livestock and Controlled Areas) (Amendment) Rules, 1963.

The Wheat Industry (Agency) (Amendment) Rules, 1963.

The Wheat Industry (Grading) (Amendment) Rules, 1963.

The Agriculture (Land Utilization) (Farm Employes) Rules, 1963.

The Agriculture (Export) (Horticultural Produce Inspection) (Amendment) Rules, 1963.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

Survey of Kenya Administration Report, 1962.

The Fish Protection (Lake Naivasha) (Amendment) Rules, 1963.

The Forests (Closure) (Mount Kenya, Ndare, Aberdare and Kipisiri) (Revocation) Rules, 1963.

The Forests (General) (Amendment) (No. 2) Rules, 1963.

(By the Minister for Lands, Game, Fisheries, Water and Natural Resources (Mr. Sagini))

NOTICES OF MOTIONS

EAST AFRICAN FEDERATION

Mr. Ngugi: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House would welcome a federation of East Africa this year and urges the Government of Kenya to negotiate on the basis of creating one East African Nation embracing amongst other fundamental aspects, one Flag and one Prime Minister.

Mr. Godia: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

— FREE PRIMARY EDUCATION

THAT this House appoints a Select Committee to recommend a plan for the introduction of Free Primary Education up to Standard VII in order to enable every child born in Kenya to go to school as soon as possible.

SYMBOLS FOR INDEPENDENT KENYA

THAT this House approves of the use of Cockeret and Crown as symbol of the Free Independent Kenya.

[Mr. Godia]

FREE MEDICAL ATTENTION

THAT this House appoints a Select Committee to recommend a plan for the introduction of Free Medical attention to all people of Kenya as soon as possible.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

REVIEW OF CONSTITUENCY NAMES

THAT this House is of the opinion that the names given to the present Constituencies should be reviewed, for the purpose of making suitable changes therein.

Mr. Gachoga: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

NATIONAL PROGRAMME FOR COUNTRY'S YOUTH

THAT this House notes with gratitude and admiration the great contribution made by the youth of this country in the struggle for our UHURU and urges the Government to plan and assist immediately our National programme whereby the country's youth will be suitably and profitably occupied to ensure that they will play their full part in the development of Kenya.

SUSPENSION OF BUSINESS

The Speaker (Mr. Slade): Hon. Members, I am now about to suspend the business of this House in order that the Senate may join us and form the National Assembly. Will all hon. Members and their guests please be back in their seats not later than 3.10 p.m. so as to be ready to receive the Senate at that time. I shall be pleased if Mr. Kenyatta, as Leader of this House, will join the Senate and the Speaker and me in welcoming His Excellency to Parliament Buildings. All Members please remain standing now until Her Majesty's Judges have left the Chamber. Our business is now suspended until conclusion of the proceedings of the National Assembly at 3.15 p.m.

(The House was adjourned at 2.40 p.m. to allow a meeting of the National Assembly in the Chamber)

(The House re-assembled at 3.10 p.m.)

(Members of the Senate assembled in the House)

(His Excellency the Governor, escorted by the Speaker of the Senate (the hon. F. Chokwe), the Speaker of the House of Representatives (the hon. H. Slade), and the Prime Minister (the hon. Y. Kenyatta), entered the Chamber and took the Chair at 3.15 p.m.)

ADDRESS FROM THE CHAIR BY HIS EXCELLENCY THE GOVERNOR

His Excellency The Governor (Mr. Malcolm MacDonald): Mr. Speaker of the Senate, Mr. Speaker of the House of Representatives, Mr. Prime Minister and hon. Members of the National Assembly, I am proud to be here at the opening of Kenya's National Assembly. Indeed, I am very happy to be in Kenya throughout these times when history is being made on a grand scale. Events here are part of a much vaster, world-wide movement of emancipation in which multitudes of once-dependent peoples are gaining their national independence. For the last 17 years I have had a tiny participant in that colossal process, first in Asia and now in Africa. Some people think I am an Afro-Asian with a lot of Scots blood in me. But I am in fact a British representative helping to fulfil the will of the sagacious British people that their old Colonial Empire shall be transformed into a federal Commonwealth of free nations.

I have watched that transformation being successfully achieved in India, Malaya and other Asian lands. Equally important is the peaceful revolution, now occurring in Kenya. Eleven days ago the Constitution for Internal Self-Government came into being, and we are now all co-operating together for the attainment at the earliest practicable date for full independence. As we know from a meeting of the heads of the Kenya, Tanganyika and Uganda Governments in Nairobi last week, that event will in its turn lead to a further constitutional development which should have an inspiring influence not only in East Africa, but in other parts of Africa too.

A crucial incident in that series of advances is this opening of self-governing Kenya's National Assembly. You are the elected representatives of the new-born Kenya nation. It is fitting to remark this afternoon on the orderly, democratic and responsible way in which millions of voters conducted themselves throughout your General Elections. They behaved with similar law-abiding good humour during the recent joyful celebrations of Self-Government. Their peaceableness has compounded some of the prophets of gloom; and it is a promising omen for the future.

I should like to pay another tribute. It is to Members on both sides of your two Houses. The mood of almost universal mutual good will which animated the population throughout recent events was induced, in them by the provisions of the new written Constitution. That Constitution was the outcome of many months of difficult negotiations in which the leaders of KANU and

[His Excellency the Governor]

KADU both took part. Their discussions reflected the lingering fears as well as the soaring hopes of the many different tribal and racial peoples who are joined together in the Kenya nation.

In the course of the negotiations both parties made concessions and compromises with the other, in a sincere attempt to allay those fears and strengthen those hopes. The result is not a simple Constitution; it is rather complex, but it is designed to fit Kenya's particular needs. And the fact that it has truly increased mutual confidence and the sense of unity amongst Kenya's people shows what an act of high statesmanship it was. We all congratulate the leaders of both the Government and the Opposition on their achievement.

This National Assembly is one of the Constitution's important creations. It should become the central, supreme constitutional organ where the life of the nation is shaped. Here the Government of the day will declare its policies on a great variety of national matters, and introduce legislation to implement those policies, and propose taxes to sustain them. You will debate the Bills, and influence their terms, and pass them. It is right that the Government should command an effective majority, so that it can act with decision, confidence and authority. But it is also right that there shall be a robust Opposition subjecting the Government each day to criticism. If that criticism is made in a constructive spirit, it can fulfil one of the most valuable functions of Parliament.

If I may say so, I was myself for many years first a Parliamentary Secretary and then a Cabinet Minister; and not only in the House of Commons, but also in all the other offices which I have filled, I have always learnt at least as much from my critics as from my friends. No doubt that was partly because I have never lacked plenty of critics.

Criticism by an Opposition in Parliament can perform four great services to the Government itself as well as to the nation. First, it voices the opinions of significant minorities in the State who should be heard. Second, it keeps a Government alert and "on its toes", and prevents it from becoming complacent. Third, it points out mistakes that Ministers may be making, and so gives them a chance to correct those mistakes in good time. And fourth, when the criticism is itself misplaced or unfair, it gives the Government a fresh opportunity to explain its policies, and to remove misunderstandings and misrepresentations.

For all those reasons a democratic Government should welcome criticism. Indeed, the work of a Government and the work of an Opposition in a Legislature are complementary to each other, two halves of a comprehensive whole. But let us be realists. That view does not seem to be shared by some authorities in some new nations in Asia and Africa, just as it has been rejected by some authorities in some old nations in Europe and America. Democratic practices are not always in accordance with the indigenous traditions, customs and characters of a racial people.

Then are they in accord with the character, capacities and aspirations of the people of Kenya? Some observers would say that the answer to that question is "No". I cannot tell; I am a newcomer amongst you; I have no profound knowledge of you. I shall only say this: my very pleasant and enlightening experiences in the recent Coalition Council of Ministers lead me to believe that the answer can be "Yes", and that this National Assembly can be animated by a spirit which will make it a shining example of modern-Parliamentary government to the whole of Africa.

In that Council of Ministers there were both Kanu and Kadu members. Of course, sometimes they disagreed. Occasionally there was even a flaring row; but usually then that priceless gift of the African peoples, their glorious sense of humour, came to our rescue. We laughed our way through little crisis after little crisis. And almost always the whole team of Ministers showed great good humour towards each other, and mutual tolerance and respect, and a readiness to make reasonable compromises. It was because they had a will whenever necessary to abandon narrow party prejudices and adopt a broad patriotic view, which set the interests of the nation above the interests of faction, or party, or community, or tribe.

If I may say so, many of the public statements made since the General Election by leaders of both the Government and the Opposition show the same inclination to place national above party considerations. And, as I have already remarked, that mood has been reflected in the peaceful, good humoured, friendly behaviour of the rejoicing crowds in the streets and the countryside during the last two weeks.

You in this National Assembly can do much to confirm and strengthen those hopeful tendencies. By an exercise of healthy party criticism of each other, tempered by an awareness of sharing the same national aims because you are partners in the grand adventure of building a happy Kenya nation, you can lead your countrymen serenely

[His Excellency the Governor]

through the critical years lying immediately ahead. You can allay suspicions, curb passions and weaken rivalries, and combine the tribes and communities which have divided Kenya in the past into the united nation of the present and the future. The slogan for that effort is *Harambee*.

Only a fool would seek to minimise the difficulties which lie in your path, as they lie to a greater or lesser extent across the path of any Government, old or new, which strives in these times to raise the standard of living and well-being of its people. The difficulties in Kenya are too obvious to need reciting on this occasion. But given a co-operative effort they can be steadily and surely overcome, for this fruitful and lovely land of Kenya can provide the basis for a comfortable and gracious life for its whole population.

One of the Government's and your duties will be to exploit further Kenya's natural resources: to preserve and develop its agriculture, expand the variety of its economy, encourage local and overseas investors, extend its home and external markets, cherish that national treasure, your Game Reserves and National Parks, and in every other way stimulate the country's material development. The chief purpose of all that is to provide the means to give employment, education, health and a good living standard to everyone.

But none of those possessions is worth a great deal without liberty—national liberty and individual liberty. Yet neither is liberty worth much without those other attributes. So let us keep them all in the right perspective with each other, and strive to attain them all. With that ambition you now set forth gladly and your British friends join with you on the last stage of Kenya's journey to *Uhuru*.

Mr. Speaker of the Senate, Mr. Speaker of the House of Representatives, Mr. Prime Minister and Honourable Members of the National Assembly, I salute you! The eyes of the rest of Africa and of the whole world are upon you. All the friends of Kenya wish you well as you commence your historic task. Good fortune be with you; and may the blessings of God—the Universal God of all true religions—rest upon your labours.

The Speaker of the Senate (Mr. Chokwe): Hon. Members, it is now His Excellency's intention to take his leave.

[His Excellency the Governor and the Speaker of the Senate withdrew]

[Members of the Senate withdrew]

[The Speaker (Mr. Slade) resumed the Chair]

SUSPENSION OF BUSINESS

The Speaker (Mr. Slade): Hon. Members, the House is now adjourned until 4.30 p.m. this afternoon.

(Proceedings were suspended from 3.40 p.m. to 4.30 p.m.)

COMMITTEE OF WAYS AND MEANS MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the Speaker do now leave the Chair.

The House is already in possession of the Estimates of Expenditure for 1963/64 and the Economic Survey for 1963. I now present the Estimates of Revenue for the year ending 30th June, 1964, together with the Financial Statement.

I should like to express my thanks to all those officers of the Treasury and other Ministries who are responsible for the production of the Estimates and the accompanying documents. Their task has not been made any easier by the major reorganization of Government expenditure which was carried out on the lines suggested in the Economy Commission Report, or by the need to plan for the introduction of a new Constitution. My thanks are also due to the Government Printer who, in addition to the mammoth task of producing the election documents, has coped with his usual efficiency, with the Budget Estimates.

I shall deal first with the out-turn for the current year. The latest estimate of expenditure is £37½ million—or approximately £1 million more than the original estimate. The increase is due mainly to the following factors—the need to continue famine and flood relief measures on a greater scale than had been anticipated; a rise in the prison population; an extension of the limited compensation scheme; and the heavy cost of the elections.

Fortunately there will be an even greater increase in revenue over the original estimate, mainly due to higher receipts from customs and excise during the last four months of the financial year. The original estimate was £16.1 million and at the end of the first six months of the financial year, only £7.7 million—or considerably less than half the estimate—had been paid into the Exchequer. We were on target by the end

[Minister for Finance and Economic Planning] of February and have gone ahead since then, particularly in the month of April—the month in which increased duties were announced on motor-cars and textiles.

In general, the increases in duties announced in the last Budget have brought in additional revenue of approximately the amounts estimated, but there are exceptions to this, to which I should like to draw attention. I said last year that the increased duties on spirits were expected to bring in about 150,000 additional revenue in a full year. In fact, during the first six months of the financial year the revenue from spirits was substantially less than in the previous year. This illustrates the need for caution in raising the duty on luxury items to a point at which the actual return drops.

The effect of increased duties on another comparatively minor item is a further illustration of the point which I have in mind. The duties on cosmetics were increased, but, during the first six months of the financial year, receipts from this source also fell.

The deficit on the year will be approximately £2 million, as against the figure of £2.5 million on which the Budget was based. About £13 million of this will be covered from assistance received from the British Government for famine and flood relief and rehabilitation measures. After taking into account probable under-issues from the Exchequer this year, the balance in the Colony Exchequer Account will fall from £1.9 million at 30th June, 1962, to about £1.5 million at 30th June, 1963.

On Development, we started the year with a deficit of no less than £5.4 million, but I hope that this will be brought down to about £3 million at 30th June, 1963. Expenditure, except on Settlement, has proceeded more or less according to plan and, although the funds with which to finance the normal Development Programme were not in sight when the Budget was introduced, it did prove possible to negotiate additional assistance by way of Exchequer Loan from the British Government.

Expenditure on the general Development Programme is expected to total about £8.2 million, which is very near the original estimate, but there has been a substantial shortfall on estimated expenditure on Settlement, and total expenditure will be about £11.4 million as against the original estimate of £14.1 million. However, with the recent conclusion of negotiations for the 5-year expanded settlement scheme, very rapid progress is expected in 1963/64.

There has been a welcome increase in the amount of money held in Tax Reserve Certificates. At the beginning of the year it was £14 million, and there has been an increase of about £1 million during the year. The overall deficit at 30th June, 1963, will be covered by this balance, the balance in the Colony Exchequer and cash held in the Paymaster-General's Account, with the residual deficit covered by short-term borrowing.

The Economic Survey sets out in detail how the economy fared in 1962, and gives a forecast of what we may expect in 1963. I hope that all hon. Members will find time to study this Survey, and propose now merely to summarize some of the major points. The total gross domestic product—sometimes loosely called the national income—increased by 8 per cent in 1962, but the greater part of this increase resulted from higher output in the subsistence, or non-monetary, sector of the economy, largely as a result of the return to normal from the disastrous weather conditions of 1961. The gross domestic product in the monetary sector increased by only 2 per cent, which was an improvement on the rate of less than 1 per cent achieved in the previous year, but, considered in relation to the increase in the population—which is now estimated to be growing at the rate of 3 per cent per annum—cash income per head must actually have fallen in 1962, even before taking into account the rise in prices.

Gross farm revenue from agriculture and livestock amounted to some £47 million, of which £36 million was earned by the large farms and estates in the Scheduled Areas, and nearly £11 million in the Non-scheduled Areas. Although this represents an improvement over 1961, the increase of only 3 per cent in production from the Non-scheduled Areas compares unfavourably with increases of the order of 10 per cent which have occurred in recent years. One of the main difficulties with which we are faced is the marketing of coffee and pyrethrum—the two crops on which our efforts in the African areas have been concentrated. We shall now have to re-think our cash crops policy, and the recent report of the Acting Director of Agriculture on this subject is a most important document which will receive the early attention of the Government.

Exports of almost £38 million were an all-time record, and some 7½ per cent above the 1961 figure. There were also increased sales of Kenya produce to both Tanganyika and Uganda.

[Minister for Finance and Economic Planning]

Our imports also rose slightly, and the value of commercial imports rose by nearly £2 million, or about 3 per cent. Higher imports of consumer goods were largely responsible for this increase, and for the increase in revenue from customs duties to which I have already referred.

Bank deposits increased, as did also the level of advances by the banks. Currency in circulation in the East African territories, including Zanzibar, rose by over £6 million between the beginning of 1962 and the end of February, 1963. The increase in bank deposits and in currency in circulation must reflect a greater level of economic activity in the country.

The number of visitors to Kenya was the highest ever recorded, and the indications are that 1963 will be an even better year for our tourist industry.

The gross product earned by the building and construction industry fell for the fifth successive year, but there are signs that there may be some recovery in 1963.

Unemployment remains one of our most serious problems, and the number of persons recorded in employment at mid-1962 was some 8,000 lower than in 1961, in spite of a small rise in the number employed in the public sector. It is feared that the figure has fallen further since June, 1962, but the fall has been confined to the agricultural sector. The estimated wage bill of the public sector and private industry and commerce changed little, and the agricultural sector was largely responsible for the overall drop of £4 million. There has been a real increase in living standards for those on the lower levels of salary, who have benefited from wage increases during the year.

This is a somewhat gloomy picture but the facts as set out in the Economic Survey cannot be altered, and it would be wrong for me to attempt to gloss them over. Our prospects for future expansion depend to a large degree on the level of capital expenditure, for it is investment now which leads to higher incomes in the future. It is therefore discouraging to note that the estimated capital expenditure of £33 million in 1962 remains well below the level of from £40 million to £46 million achieved during the period 1955 to 1960. There are, however, signs that in this sphere also there may be some recovery in 1963.

I could give particular instances of projects of a substantial scale that I believe will be started in 1963, but capital is a shy bird, and information

about where it is needed may result in its flight—hatch out, I can, however, say that, following on discussions that I have had with investors in various overseas countries, I have reason to believe that substantial new investments will shortly be made.

To sum up, there was no real increase in national income per head in 1962 and, in fact, there was probably a fall. Unemployment increased. On the other hand, exports were at a record level, and there is reason to hope that in 1963 there will be a rise in agricultural production and in the value of our exports of at least 5 per cent. If an expansion of this order can be achieved it will generate activity throughout the economy, and I am hopeful that the gross domestic product in the cash economy in 1963 may increase by as much as 5 per cent, and that a real rise in per capita income will occur for the first time since 1960.

I mentioned earlier the rise in the salary in circulation, and should like to add that the Currency Board's position remains one of great strength, and that the Board has enlarged its activities further during the year. It obtained an increase in its lending power in order to ensure adequate finance for larger cotton and coffee crops. I should also like to place on record the fact that the Currency Board has set aside the necessary money required out of its surplus assets to enable us to find from this source our subscription that will be payable to the International Monetary Fund, the World Bank and other international organizations which we shall apply to jointly on the attainment of independence. The amount involved will be about £14 million.

It is, however, appropriate that at this stage in our political development a Central Bank should be established and, on the initiative of the Tanganyika Government, a report has been prepared by Mr. Blumenthal on the present monetary system and its future. This Report is a most valuable document and gives the creation of a Central Bank for East Africa. This Report is now being considered by the East African Governments, and I am confident that it will prove possible to reach agreement on the setting up of a Central Bank which will be soundly based and which will not only maintain and enhance the status of our currency, but will also have a most important part to play in the development of East Africa. I must, however, point out that the setting up of this Bank will involve the expenditure of a considerable portion of the present reserves of the Currency Board, and that the running of the Bank

[Minister for Finance and Economic Planning] will also absorb a considerable part of the present profits from which we are now receiving about £50,000 a year.

I now turn to the 1963/64 Development Programme. The total estimated expenditure is £14.1 million, including £6.2 million for land and settlement schemes. As already announced, the British Government will find £4.6 million towards this, and the remainder will come from the West German Government, the International Bank and the Colonial Development Corporation. Although the loans from the International Bank and the Colonial Development Corporation have been agreed, we have not yet been able to draw any money from either of these sources for settlement, as money is only issued after the approval of individual sub-projects. Our first sub-project has been submitted, but it is probable that before it is approved further negotiations will have to take place with the International Bank and the Colonial Development Corporation.

The General Development Programme amounts to a little less than £8 million. £1.12 million will be needed to meet our first major repayment under the Contractor-Finance Road Scheme, which has now been successfully completed, leaving £6.82 million for new expenditure, which is substantially less than in the current year. We have, however, in accordance with the advice of the Fiscal Commission, transferred £600,000 of expenditure—mainly on agricultural services—from the development to the recurrent budget. A further transfer of at least £100,000 will be necessary in 1964/65. The 1963/64 Programme is an extension of the present three-year Plan.

The emphasis remains on the development of agriculture, and the amount of loans—both for land purchase and development—has been stepped up and £1,350,000 has been included for loans for land purchase and agricultural development. One of the encouraging features of events in recent months has been the large number of transfers of land in the Scheduled areas, financed in part with the assistance of the Land Bank. In fact, the Land Bank has, during 1963, already approved loans which will assist in financing the purchase of over 200,000 acres by buyers of all races. It is important that adequate funds should be available to continue this process. On the agricultural side, we are following closely the recommendations of the World Bank, and the programme for tea development is going ahead according to plan. Of the target of 11,000 acres, 50 per cent. will have been planted by mid-1964, and the necessary tea factories are being started. Finance is being sought for a further programme of an additional 12,000 acres.

A high priority in the programme has been given to the continuation of localization and training, and the Kenya Institute of Administration is now running at full strength. The expenditure on buildings will inevitably be at a lower level than in recent years, although some provision has been made for essential buildings at new Regional Headquarters. We have reviewed and overhauled the various institutions dealing with credit both in the agricultural and industrial fields. In the industrial field a Kenya Development and Finance Company will be set up with a capital of £11 million, and we believe that we shall shortly be able to negotiate the necessary agreement under which £500,000 will be made available by the West German Government; £500,000 by the Colonial Development Corporation; and £500,000 by our own Industrial Development Corporation.

Forestry development is also going ahead, and there is every hope of reaching the target of 210,000 acres of soft wood plantations in 1968.

The educational programme rightly lays particular stress on the provision of more secondary school classes in African schools, and by 1964 places will have been provided for over 12,000 pupils, which is more than double the enrolment in 1960. In addition, a programme has been drawn up for the expansion of higher school certificate classes.

Towards the basic programme of nearly £8 million, finance has been negotiated from the British Government totalling £5.1 million. A further £63,500 of loan funds will be obtained from the West German Government, and £76,000 from the International Bank. Some £150,000 in grant funds will, it is expected, be obtained from the United States Government. The gap to be filled is a little over £1 million and, to meet part of this, I am proposing to allocate to the Development Exchequer our share of Currency Board profits, which will amount to about £50,000. I am confident that ways and means will be found of closing the remaining gap. We also plan to negotiate finance for projects outside the Sasumua Dam which—provided there are no more land slides—will secure Nairobi's water supply needs for a number of years to come. This and Washington by were first discussed in London and myself in August last year.

This illustrates the point that it takes over a year from the time a project begins to be discussed with the overseas international body before all the necessary negotiations can be finalized, and before any money can be drawn. I am not in any way criticizing the overseas Governments

[Minister for Finance and Economic Planning] or overseas agencies, from whom we have received the fullest help and co-operation, but the demands for aid from many countries greatly exceed the supply of available capital, and these Governments and agencies quite rightly insist on being fully satisfied on the soundness of a particular project before they agree to participate in and providing finance for it.

Our success in obtaining money for development in future will depend very largely on our ability to prepare and process detailed applications to potential overseas lenders, related to specific economic projects, and it will be essential that we should seek in the future to find local money for the local costs of many development schemes. If we look at other territories in Africa which have recently announced large Development Plans, it will be found that they are planning to raise, either from budget surpluses or from other local sources, at least half the total money required. We shall not reach this position in the near future, but must begin planning to tap local sources of money.

The officers of the Treasury and other Ministers who have to try to match potential overseas sources of aid with Kenya's essential priority needs should possess a large number of qualities. They should have the perspicacity of Solomon, the patience of Job, the persistence of Robert the Bruce, the push of a high-pressure salesman and the persuasiveness of a company promoter! I do not suggest that all these qualities are ever found in one civil servant or even among one group of civil servants, but those who have been working in this field on behalf of Government deserve our gratitude for the considerable measure of success they have achieved—which compares favourably with the success achieved by many other countries in a similar position to Kenya.

I do not propose to say much at this stage on the subject of development planning and our programme for the future, but the first step in this direction has already been taken, and I shall lay on the Table this week a Sessional Paper on the International Bank Report which was approved at the last meeting of the Coalition Government Council of Ministers. I hope that all hon. Members will find time to study this Sessional Paper and the World Bank Report itself, which has proved to be a best seller, and is now having to be reprinted by the Government Printer! In general, the Government accepts the World Bank Report as the basis for our future development plan, but has had to stress the great difficulty that we are likely to experience in raising as much capital overseas as the Mission suggests to be necessary to finance the Programme.

I should, however, perhaps refer to two points on which the Government does not entirely accept the proposals of the Mission. As is explained in paragraph 51 of the Sessional Paper, the Government has decided in principle that Kenya should develop its own source of hydro-electric power at Seven Forks. Further decisions on the timing and financing of the project, as well as its priority as against other major projects in the Programme, must be taken in the near future if Kenya is to avoid a serious power shortage which would inhibit further development.

The other major scheme—in which I am sure many hon. Members are interested—is the Mombasa Road. An expert on toll roads is being sought to advise on possible construction on a self-financing basis, and consideration will be given to going ahead with the Mombasa Road project if finance can be obtained on terms related to the expected economic return.

In spite of all our difficulties, I expect that actual expenditure by Government on the Development Programme, including the settlement schemes, will be higher than in any previous year.

I now turn to the Recurrent Expenditure Estimates for 1963/64, which total £40,960,000 or, excluding compensation and committed pension payments to designated officers, £36,787,000. A detailed comparison between these estimates and the revised expenditure figures for the current year is given in the General Memorandum Note, and I do not propose to go over this ground in detail again—Our budgetary problem in November last year looked almost insoluble. We were faced with a deficit, excluding compensation and committed pension payments, of some £5 million between forecast expenditure for 1963/64 and probable receipts from taxation at existing rates.

In solving this problem, the first step was to review the whole field of expenditure and see where economies could be made. In this we were greatly assisted by the Report of the Economy Commission, but the desired savings would not have been achieved without the full co-operation of all my colleagues in the former Coalition Government, whose realistic acceptance of the need for economies made the necessary action possible. As explained in the note in the printed Estimates, economies achieved amounted to about £1½ million and, in relation to the forecast estimates, they amounted to an even higher figure. The remaining gap will be covered by revenue at existing rates of taxation, plus the

[Minister for Finance and Economic Planning] revenue that will be derived from measures announced in April and further measures which I am to announce today.

The largest single economy recommended by the Economy Commission was in Non-African Primary Schools, and the Commission estimated that a saving of £746,520 was possible. The Commission recognized that grants to schools cannot conveniently be made on a per capita basis, but advocated that the same general level of assistance—irrespective of the racial communities, which the schools principally serve—should be the objective to be achieved as quickly as possible. They pointed out that the element of Government subsidy in European, Asian and Arab Primary Schools was substantially greater than the element of subsidy in African Primary and Intermediate Schools.

The Expenditure Estimates have been prepared on the assumption that tuition fees in Government European Primary Schools will go up from Sh. 175 to Sh. 280 per term; in Asian Primary Schools from Sh. 57 to Sh. 90 per term; and, although in the higher classes in Arab Schools no change is proposed, it is suggested that the fee for Standard I to IV should go up from Sh. 15 to Sh. 42 per term. There will be corresponding adjustments in the grants-in-aid under the non-African rules, and the Government grant to European, Asian and Arab aided Primary Schools will be reduced from 80 per cent to 40 per cent of approved salaries, and in Secondary Schools from 90 per cent to 80 per cent.

It has also been assumed that the changes in fees will come into force with effect from the September term this year, and the adjustments in grant-in-aid with effect from January, 1964. No change is proposed in African school fees, with one exception—namely, that it is proposed that the boarding element in the fee at Secondary Schools should go up by Sh. 50 per annum with effect from January, 1964. The savings that will be produced in the 1963/64 year are estimated at £8,700 from fee increases in Government schools, and £111,400 from reductions in grant-in-aid to aided schools. I very much regret the need for these changes, but we have not gone as far as this Economy Commission suggested. I do not, however, think that we can deny the logic of the Commission's recommendations: I must make it quite clear as far as both fees and grant-in-aid are concerned in the future that, in the case of schools which pass from the Central Government to Regional Authority or Local Government

schools, the changes of which the Estimates have been based must be regarded liberally as recommendations to these authorities.

Other major economies—the need for which I also regret—include the abolition of the diesel refund to farmers, although cereal farmers will be compensated to some extent for the increase in the cost to them of diesel oil by a fertilizer subsidy which it is proposed to introduce on the 1st July. I also greatly regret the need for the suspension of the Kenya Regiment and for other major changes, including those involving a very substantial reduction in expenditure by the Ministry of Works, and the abolition of the grants to the European and Asian Hospital Insurance Funds. On the other hand, the Economy Commission carried out a necessary and unpopular task with great care and thoroughness, and I am sure that the Coalition Government was right to accept the great majority of their recommendations.

However, in spite of all the economies that have had to be made, hon. Members will, I am sure, be glad to know that we have managed to find some additional money for the encouragement of tourism.

There is one omission from the expenditure estimates to which I should refer at this stage. No provision has been included for the cost of the Army and, assuming that we achieve independence before April, 1964, we shall have to find the necessary funds to cover the period between the end of the United Kingdom financial year at the end of March, 1964, and the end of our financial year at the 30th June, 1964. The present estimate of the annual cost of the Kenya battalion of the King's African Rifles, and the necessary supporting establishments for this Force, is £2,450,000. The exact size of the Force that we shall need, and the question of how our Army is to be the British Government, but we have to face the fact that we shall have to find over £2 million for our Army in 1964/65, and may have to find over one-quarter of this sum during the 1963/64 financial year.

This, I think, provides an answer to anyone who might doubt the need for the economies that have been effected. We shall, with the assistance of the members that I shall announce later, balance our 1963/64 Budget, but in 1964/65, in addition to taking over the cost of our Army, we shall have to find a further sum of over £400,000 for Public Debt, and over £500,000 for pensions, and will also have to provide for a full year for

[Minister for Finance and Economic Planning] diplomatic representation overseas. We shall have to take over further expenditure from development to the Recurrent Budget.

Additional costs that will fall on the Central Government in 1964/65 will therefore exceed considerably the sum of £3 million, and it will be necessary to make further economies towards this essential additional expenditure.

The Regional Authorities will start with a deficit of rather less than that suggested in the Fiscal Commission Report. I shall deal later on in some detail with the position of the Central Government and the Regional Authorities.

I have already indicated that the amount of expenditure we have to finance next year from Kenya sources is about £36.8 million. After allowing for various adjustments in the Revenue Estimates, such as the abandonment of the diesel refunds and the decision to regard landing fees as revenue, and for the taxation measures already announced, I estimate that the revenue that will be produced towards financing expenditure next year will be about £35.9 million, leaving nearly £900,000 of additional revenue to be found.

I now come to my revenue proposals, and would at this stage ask Mr. Speaker that—in accordance with precedent—this speech be taken as Notice of Motion to be placed before the Committee of Ways and Means dealing with the measures I am now proposing.

One of the possible sources of revenue which we have had to examine is export taxes. Obvious candidates for export taxes are coffee, tea and sisal, but it is going to be increasingly difficult for us to sell our coffee, owing to quota limitations, and the sale of increasing amounts of coffee in non-quota markets at lower prices will reduce the return to the producers. As far as tea is concerned, we have under way a very large programme for the expansion of the sources of finance for this programme that we will not impose an export tax on tea grown as part of the scheme. It would, I think, be a little difficult to justify imposing an export tax on tea grown in some parts of the country, but not in others. The price of sisal has gone up, but I am anxious that this should provide an incentive to the growing of more sisal, for which there is likely to be a market, and the imposition of an export tax could certainly not be regarded as an encouragement by the Government for fibre investment in sisal.

My final reason, however, for not imposing export taxes this year is that I regard them as an undesirable form of double taxation. I can see no logical reason, for example, why a country producing coffee tea or sisal should be subjected to a greater taxation than a country producing butter, bicycles or boots. As far as individuals are concerned, a man's income from the crops he grows—whether for export or not—determines the amount of graduated personal tax which he has to pay and the amount of income tax which he has to pay. I do not wish to add to the problems of Regional Authorities and Local Authorities by making more difficult the collection of graduated personal tax, which will be one of the main sources of revenue of Local Authorities, and I see no reason to impose an additional form of taxation on those income tax payers who happen to grow export crops.

Having said all this, I must admit that export taxes have been a fruitful source of revenue in many countries and, although I have no intention of imposing such taxes at the moment, this is a matter that will have to be kept under review.

I now turn to Customs and Excise. Last year we put up the duty on spirits and I have explained that this has led to a fall-off in imports and a reduction in revenue. Although I do not contemplate reducing the duty at this stage, it would be foolish to increase it. Beer, cigarettes and petrol were all hit last year, and I am, I think, after careful consideration, that it would not be right to increase the duty on these products again.

I have already announced increased duties on motor-cars and textiles. These are estimated to bring in an additional £600,000, which has already been taken into account in the estimate of revenue that I have given. I am glad that it has in general been accepted by the public that these increases are reasonable.

The increased duty on textiles is also in part a protective measure, and the increase is moderate.

The purchase tax on second-hand motor-cars, which has also been announced, is working smoothly, and I think it not unreasonable that the Government should take some of the benefit that will accrue to the second-hand motor-car market as a result of the increase in duties on new ones. This measure is estimated to bring in about £200,000, and has also been taken into account in my estimate of revenue.

I think at this stage I mention that the early imposition of these taxation measures—which do, I think, catch the public by surprise—is to my

[Minister for Finance and Economic Planning] view a logical step. The Government will feel free to adjust rates of Customs and Excise duty when this seems most convenient and when, in fact—in relation to the overall financial position or in the interests of the country's economy—it appears to be appropriate and necessary.

I now turn to protective measures. Last year I invited the House to shed tears over the fate of immature crocodiles. The export tax on crocodile skins, which was mainly intended to assist the Tanganyika trade, has not proved very effective, and is being re-examined, but I have no change to propose at this stage. I am, however, taking action with regard to another inhabitant of the waters—namely, the trout. Artificial fish for catching trout are manufactured very skillfully by a small concern at Kipkabus, and I am satisfied that a small increase in the import duty from 25 per cent to 33½ per cent is necessary to assist this firm.

Tariff Item 47 will be recast to provide increased protection at the rate of 25 per cent on metal doors and windows. At the same time, a duty of 12½ per cent is to be imposed on down piping and ventilators which are made locally.

Tariff Item 72 will be revised to impose a duty on 12½ per cent on imported vats and tanks of 30 gallons or more capacity with walls not thicker than ½ in. if made of stainless steel and not thicker than ¾ in. if made of aluminium or alloy. This will confine the imposition of the duty to the types of tank which the local industry can produce, and which can be produced in sufficient quantity to satisfy the East African market.

The rate of duty on putty under Tariff Item 81 (a) will be raised from 12½ per cent to 25 per cent, as there is a satisfactory local product which can fulfil local demand.

Hon. Members will be aware that the paint industry is efficient and produces almost all types of paint required in East Africa. This industry does, however, need some further measure of protection, and I propose that the rate of duty on imports should be raised from 25 per cent to 33½ per cent.

For some time past several companies of tyre manufacturers have displayed an interest in the establishment of factories in East Africa. In order to encourage the setting up of such factories, provision is made in the Finance Bill for a suspended duty of 41 cents per lb. This suspended duty will not be imposed until and unless a factory is set up, and would at that stage be imposed only on those sizes of tyres which the local factories could produce. The object of the amendment is to

assure the companies concerned of the Government's intention to assist them when factories are established. There is a further minor modification to this Tariff Item. Experience has shown that the specific rate of duty covers practically all imported tyres, and the alternative *ad valorem* duty is therefore removed.

One final protective measure concerns cement. It is proposed that the duty should be raised from Sh. 1/50 per 400 lb. to Sh. 1/10 per 100 lb. which will be imposed. The previous rate became obsolete when Kenya became self-sufficient in cement. The new duty may permit the import licensing of cement to be relaxed.

I now turn to changes that are being made mainly with the object of increasing revenue. The changes are set out in detail in the Financial Statement but, briefly, items which will now become dutiable at 25 per cent will be all imported fruit and vegetables; cups, medals and badges; toys and games; sheet, plate and float glass; handles for tools and implements; weighing and measuring appliances; refrigerators and air-conditioners, excluding industrial refrigerator equipment. Also included in the 25 per cent are bricks, slates and tiles; lime and building plaster; sanitary ware and roofing materials; and floor compounds. Some of these changes, also have a protective aspect.

There has been some criticism of the amount of imports of foodstuffs which come into Kenya in this field. If, however, the figures are examined, it will be seen that most of Kenya's imports relate to essential foodstuffs required to meet a local deficiency. For example, we are not yet able to produce all the sugar and rice we need, and also have to import hard wheat for mixing with local wheat. Further, in times of famine, it is necessary to import maize, and we have also accepted generous gifts of skimmed milk from America for free distribution in famine areas. However, as a general principle, we do impose an adequate duty on imports of foodstuffs which compete with local products or, alternatively, operate a control through import licensing. The general 25 per cent tax on fruit and vegetables is imposed in accordance with this policy.

The duties on building requisites also in a number of instances have a protective angle, and the slight increase in duty will encourage local production.

I am advised that the present mark-up by retailers on toys and games is high, and that it

[Minister for Finance and Economic Planning] should be possible for the increased duty to be absorbed without much increase in prices to the public.

The imposition of the duty on cups, medals and badges is partly being made for administrative reasons. The difficulty of determining under the present Tariff whether a particular import is an article which could be imported duty-free or which should be subject to duty as having a general use has given birth to some of the fatter files in the Customs archives!

One further change relates to the duty on lubricating oil imported under Tariff Item 103 (d). The duty is to be raised from 60 cents to Sh. 1 per imperial gallon, bringing the duty levied in Kenya up to the level of the duty that is now in force in Uganda.

I also propose that the duty on plywood, pulp board and plastic and similar sheeting under Tariff Item 127 should go up from 12½ per cent to 25 per cent. In addition to producing some further revenue, this change should act as a stimulus to the local plywood industry, and provide an incentive for the establishment of a pulp board industry.

I estimate that the additional revenue that will be obtained from these measures will amount to £170,000.

My final customs amendment relates to the very contentious Item 112 (b)—Medicines. Hon. Members will be aware of the difficulties which have arisen as a result of the different methods of taxing patent medicines introduced in the three territories. The Tanganyika system involves the taxing of all medicines other than those that are exempted, and the Kenya and Uganda method involves the exemption from tax of all medicines other than those that are specified. A year's experience has shown that the Tanganyika system has worked more smoothly than the Kenya and Uganda systems, and the Kenya and Uganda Governments have therefore agreed to change over to the Tanganyika method. A list of the items which are to be free of duty is being published in the Official Gazette.

I now turn to the field of direct taxation, and will deal first with graduated personal tax. In accordance with the recommendation in the Fiscal Commission Report—as reflected in the Constitution—graduated personal tax will become a Local Authority tax with effect from 1st January, 1964. Action will also have to be taken in accordance with the statement in paragraph 254 of the Fiscal Commission Report that in the 1963/64 year the

Central Government will be entitled to withhold from Local Authorities grants-in-aid equal in aggregate to the amount which the Central Government would have received had from the graduated personal tax had it still been in possession of that tax. I have consulted Professor Tress about the interpretation of this recommendation, and he has confirmed that it was made with a view to the Central Government being entitled to withhold grants-in-aid equal not only to the amount of revenue that the Central Government would have received if the tax had continued at the present rates, but also to the amount which the Central Government would have received if it had increased the rates on the lines which are proposed in the Report.

One adjustment has already been made, and grants to Local Authorities from the Local Government Contributions Vote have been reduced by £429,000. I have, however, examined this matter very carefully and, although in this year the Central Government will receive £1.25 million in graduated personal tax, and although, if the new Constitution had not been introduced, I should have contemplated an increase in rates which would have brought the Central Government more revenue from this source in 1963/64, I am satisfied that, in order to leave Local Authorities with sufficient money to balance their budgets, it would be wrong for the Central Government to reduce grants to Local Authorities by more than about £1,010,000. As I have said, £429,000 has been cut off, and a further reduction of £581,000 will have to be made in grants—mainly from grants for primary education payable during the first half of 1964. At this stage, however, the full amount of expenditure by the Government on primary education, on the basis of the present grant structure, is reflected in the expenditure estimates, and the £581,000 which will become local authority revenue is still reflected in the revenue estimates. The necessary adjustments will have to be worked out in detail well before 1st January, 1964.

It is not for me to indicate to what extent Local Authorities—subject to the approval of Regional Authorities—will have to increase graduated personal tax with effect from 1st January, 1964. Professor Tress envisaged that in 1964/65 the total proceeds of graduated personal tax, including existing African District Council rates, would be £3,600,000, and he suggested that, in order to achieve this revenue figure, the minimum charge for those with incomes of less than Sh. 1,200 would have to be Sh. 50; rising to Sh. 600 for those with incomes of over Sh. 12,000. If all those liable to the tax paid at these new

[Minister for Finance and Economic Planning] rates, and if full collection was achieved, the amount of revenue obtained would be not £3,600,000, but well over £5 million. These estimates have been prepared on the basis of the tax registers but, if they had been prepared in reliance to the number of men on the voters' rolls, they would have been even higher! I think it must be accepted, therefore, that the Fiscal Commission has made a realistic estimate of the amount that could be collected from increased graduated personal tax rates on the lines suggested by them.

My preliminary examination of the financial position of Local Authorities in 1964 leads me to believe that they will find it necessary to go a long way towards implementing the Fiscal Commission proposals. These will involve the abandonment of revenue from traders' licences. The whole financial viability of Local Authorities—and to a considerable extent of Regional Authorities—will depend on the success which they achieve in collecting graduated personal tax. The Fiscal Commission Report has recommended that adequate sanctions should be contained in the legislation governing the collection of this tax, and I am sure that this is right. A model Ordinance is being prepared, and will include a provision requiring employers to collect tax from their employees. On the other hand, the best sanction of all is a recognition by those concerned that local services will depend on the payment of local taxes.

I now turn to income tax. In my Speech last year I said, and I quote, "Naturally I cannot bind a future Government, but can say that it is my intention to do my best to avoid next year any further upward movement in the total tax on companies, which will now become Sh. 7/50." I am glad to say and I can fulfil this implied undertaking but, when I made it, I had in mind a recommendation that I had already received on a confidential basis, and which has subsequently been published in the Report of the International Bank Mission on the Economic Development of Africa. This recommendation was that corporations on companies should go up by Sh. 1/40 rate, leaving the total tax on companies at the present figure of Sh. 7/50. I propose to accept to the 1962 year of income.

The effect of this change will be that public companies—which is a loose definition of the more technical term "non-controlled companies"—will be entitled to deduct tax of Sh. 4 in the £

from dividends paid after 1963. The rate of corporation tax on the profits of like companies (business) will be Sh. 3 in the £. Shareholders who have already received dividends paid by non-controlled companies on 1962 profits will be credited with tax at Sh. 4 in the £ only.

I have carefully considered the position of private companies, or companies which are controlled and subject to the undistributed income tax arrangements. The object of the legislation governing these companies is to try to ensure that a private individual or small group of individuals cannot avoid tax by the device of forming a private company, and the essence of the system is that, where such a company does not distribute profits to its shareholders, then it has to suffer, after certain permitted deductions, a penal rate of tax equivalent to the difference between the standard rate and the maximum resident individual rate. The effect is that such companies are forced to distribute their profits so that the individual share holders bear tax at their appropriate individual rates.

Under the arrangements introduced last year, the standard rate of tax for these companies was left at Sh. 5/50 in the £, but the percentage which they were required to distribute in order to avoid the penal rate of undistributed income tax was put up to keep their position more in line with non-controlled companies on which the corporation tax of Sh. 2 in the £ was imposed.

However, I can see no reason why controlled companies should not bear initially, on their profits the same total rate of tax as that which is imposed on non-controlled companies—namely Sh. 7/50 in the £—and I therefore propose that the standard rate of income tax on such companies should be increased to Sh. 7/50 in the £. The higher rate will be chargeable on the year of income 1962, and will therefore be payable on the 31st December, 1963. In so far as the profits of such companies are distributed to East African shareholders, credit for the tax paid by the individual liability, and they will in the end suffer no more tax than at present. It will, however, prevent undue delay in the payment of the proper amount of tax which has been caused by the introduction of various devices, such as the payment of profits from one controlled company to another. Controlled companies will be entitled to deduct tax of Sh. 7/50 in the £ from any dividend paid after today. Where any dividend has already been paid by a controlled company in relation to the year of income 1962, with tax deducted

[Minister for Finance and Economic Planning] at Sh. 5/50, the extra Sh. 2, in the £ may be recovered from the shareholders forthwith, or on the payment of a future dividend.

As far as non-resident shareholders in controlled companies are concerned, the effective rate of tax on their receipts of dividends will be put on the same basis as for non-controlled companies, and the effective charge against their share of profits will be Sh. 7/50 in the £.

The arrangements for dealing with controlled companies are inevitably complicated, but the only way in which a major simplification could be achieved would be by bringing down the maximum rate of tax on individuals from the present figure of Sh. 15 in the £ to a figure much closer to the total company rate of Sh. 7/50 in the £. I regret that I do not think that it is possible at the moment to take action on these lines—particularly at a time when the graduated personal tax on individuals with comparatively small incomes will have to go up—but it is something that will be kept in mind for further consideration in the future.

I do not think that my proposals in relation to non-resident shareholders will be likely in many cases to increase their ultimate tax liability, as the majority of such shareholders will be able to claim relief under double taxation agreements, and the Government is very ready to conclude further double taxation agreements with countries from which we have received, or are likely to receive, a substantial amount of private investment.

Before I leave the question of undistributed income tax, I should mention that there are certain changes, in addition to those included in the Finance Bill which has been published today, which will be the subject of legislation in the Central Legislative Assembly. To compensate for the increase in the standard rate of tax on controlled companies, it is proposed that the percentage deductions for undistributed income tax purposes, which are now 25 per cent and 10 per cent according to the nature of the company's business, should be increased to 30 per cent and 11 per cent respectively.

It is also proposed to modify the present arrangements under which allowances are made to such companies for development expenditure. Ninety per cent of such expenditure has to be added to distributable income in later years at the rate of 10 per cent per annum. The law at present provides that a claim, once made, shall apply to any consecutive period of five years but,

if it is not renewed, the balance of expenditure not added back is added back in the fifth year, which means a heavy burden on the company in that year. I now propose that the balance of expenditure should not be added back at the end of the fifth year, but should continue to be added back at the rate of 10 per cent per annum—a step which will, I hope, encourage development by the larger private companies. The change will be effective from the year 1963. The present rule will, however, continue to apply in the case of a liquidation, since there would otherwise be scope for avoidance.

It is also proposed to introduce an amendment to remove certain non-resident companies with non-resident shareholders from the scope of undistributed income tax. These companies will be liable instead to corporation tax with effect from the year of income 1961.

It has frequently been urged that the Government should introduce some form of tax holiday, or pioneer industry relief. This question has been examined by various expert commissioners, which have advised against this particular measure. I have also had the opportunity of discussing taxation matters and the desirability of investment with potential investors in highly overseas countries, including the United Kingdom, West Germany, Italy, Switzerland, France and the United States of America. I am very ready to consider any measures which will encourage investment, including tax holidays and pioneer industry relief, but what most potential investors ask for is not special tax concessions, but assurances of fair and equitable treatment. The first consideration in the mind of an overseas investor is, of course, whether his proposed investment will yield him a reasonable profit on a commercial basis within a reasonable period of years, and this is a commercial risk which it is for him to calculate.

What, however, he does want to be sure of is that he will be permitted to remit his profits and to repatriate his capital, if necessary. He wants to be assured that his enterprise will not be nationalized. On these issues the Government has given, and will continue to give, firm assurances to the overseas investor. Approved Status is given under the Exchange Control Ordinance to investment from outside the sterling area, and I am glad to repeat the undertaking given by the Coalition Government that this Government will also treat no less favourably investments from the sterling area.

The overseas investor is also anxious to be assured that a strong Government will be in power, which will enable him to carry on his

[Minister for Finance and Economic Planning] business peacefully and without undue interference. Here again, I can give him a firm assurance, but recognize that we shall be judged by overseas investors not by words, but by deeds.

In order to create the right climate for investment the Government must get over to potential investors that they do not regard profit as something which is immoral, but as something which is essential if the country's economy is to go forward and if the Government is to get its income tax and wage-earners their wages.

Last year I introduced an investment allowance of 10 per cent for all investments, both by overseas and local companies, in manufacturing industries. This investment allowance means that such investors can write off 110 per cent of their investment in industrial buildings, including the necessary plant and equipment, over a period of years. I now propose to increase this allowance with effect from today to 20 per cent. This new rate of deduction will apply to industrial buildings the construction of which commences after today, and to the new machinery installed in such buildings. I also propose to extend the scope of this deduction to industries engaged in processing local produce. It was previously confined to manufacturing industries, but I am satisfied that it should no longer be so confined, and should be extended to industries processing local produce. This measure, I am sure, will be a valuable encouragement to investment which, in itself, will assist our serious unemployment problem. I calculate that with regard to most new investments this concession will be equivalent to a three-year tax holiday. There will be no loss of revenue in 1963/64, and the cost of this concession in subsequent years will, of course, depend on the amount of new investment, but the loss may well be of the order of £15,000 a year.

I estimate that the changes in company tax which I have announced will bring in additional revenue of some £700,000 in 1963/64. About half of this amount will be in the nature of a windfall, and is related to the increase to sh. 7/50 in the standard rate for controlled companies.

I now turn to individual rates of income tax. I have explained that I have not found it possible to reduce these rates but, equally, I do not propose to increase the present rates, or to change or modify the present allowances.

All the changes in customs and excise duty and income tax have been agreed and co-ordinated with the Governments of Tanganyika and Uganda.

I have two more taxation measures to announce though. The first concerns betting. Two years ago my predecessor imposed a tax on football pools. This measure has proved successful and is producing about £18,000 a year in revenue. There is, however, a very large amount of betting on overseas horse-racing, and I see no reason why the Government should not get some revenue from this source. Our proposals have been worked out in close consultation with the experts of the Jockey Club, and the proposal is for a tax of 5 per cent on the stake money for losing bets and 5 per cent of the winnings on winning bets.

It is very difficult to make even a reasonable guess at the amount of revenue which this tax will produce, but I shall be surprised if it does not produce about £50,000 a year. The intention is that the Jockey Club of Kenya should undertake the collection of this tax on behalf of the Government and they will, in turn, receive a percentage of what they collect and will, out of this, meet the cost of the necessary staff they will have to employ. It is proposed that this measure should come into force on the 1st July.

My final proposal concerns estate duty. Estate duty was imposed in Kenya from the 8th June, 1918, to the 29th April, 1959, and there is therefore nothing novel in this tax. One of the main reasons why the tax was lifted in 1959 was because it was hoped that funds would be attracted from large estates in the United Kingdom for investment in Kenya. In practice, the lifting of estate duty did not have much visible effect on investment, and the main reason for the exemption was removed when last year legislation was introduced in the United Kingdom under which immovable property, wherever situated, of persons dying domiciled in the United Kingdom was made liable to United Kingdom duty. It has also been recommended in the report of the World Bank Mission on the Economic Development of Kenya that estate duty should be reimposed. Estate duty will therefore be reimposed on the estates of persons dying after midnight tonight.

Estates of a net value not exceeding £5,000 will be exempt. Duty will be charged on an ad valorem basis on all estates which exceed £5,000. The rate on estates between £5,000 and £7,500 will be 2 per cent, increasing progressively to the former maximum of 40 per cent on estates of over £2 million. As before, there will be provision for marginal relief where an estate exceeds by a small margin a value above which it becomes liable for an increased rate of duty.

[Minister for Finance and Economic Planning]

It is proposed that the Board of Estate Commissioners which functioned under the previous legislation should be replaced by a single commissioner, who will be the Registrar-General, but it is intended that a Valuation Appeals Tribunal should be set up to deal with appeals against the valuation placed on assets by the Commissioner.

It is expected that estate duty will produce a sum in the region of £100,000 per annum. This tax is a tax on capital, and is also an uncertain source of revenue which will fluctuate considerably from year to year. I propose, therefore, to apply the proceeds of this tax to our Development Budget.

I have now come to the end of my revenue proposals which will produce a balanced budget. In fact, on the basis of the estimated figures, there will be a small surplus of about £70,000. However, the estimates which were prepared before the formation of the new Government do not provide for a sufficient number of Ministers and Parliamentary Secretaries, and additional provision will be needed to cover the cost of these additional appointments. If my estimates of revenue prove to have been too conservative, then we shall have funds available to meet part of the cost of the Army during the last three months of the financial year. If they prove to have been too optimistic, then it will be for us to take action to cover any deficit, as we can no longer go to the British Government for assistance with normal recurrent expenditure.

To sum up, we were faced with a prospective deficit of about £5 million. Over one-third of this has been covered by economy measures, and almost exactly one-third by additional taxation. The remaining amount is expected to be absorbed by increases in revenue at the existing rate of taxation.

As hon. Members are aware—with the one exception of graduated personal tax—the revenue proposals in the Fiscal Commission Report will not come into effect until 1st July, 1964, and Regional Authorities can therefore rely in 1963/64 on receiving sufficient money from the Central Government to carry on the services which they will take over at the level provided for in the 1963/64 expenditure estimates. However, an exercise has been carried out with the object of seeing how Regional Authorities would have fared in 1963/64 had the proposals of the Fiscal Commission been brought in with effect from 1st July, 1963.

The overall position is that Regional Authorities would have a deficit of a little over

£1 million, which can, however, be marked down by the expenditure that will be transferred to Local Authorities to compensate for the additional revenue which Local Authorities will receive in the first half of 1964 from graduated personal tax. The net deficit for Regional Authorities would have been about £600,000, with a corresponding surplus of about £600,000 for the Central Government. The first reaction of hon. Members may be that the Fiscal Commission must have got their sums wrong, because—as explained in Table 8 on Page 116 of the Report—they envisaged a deficit for the Central Government of about £2 million and a deficit for the Regions of about £1 million. In fact, this is not the case, for the Fiscal Commission Report tables relate to the 1964/65 financial year. In that year the Central Government will, as I have explained, have to find over £3 million to meet the cost of the Army and unavoidable additional expenditure on Pensions, Public Debt and other Central Government services. The Central Government is therefore likely to have in 1964/65 to deal with a deficit of a larger figure than was suggested in the Fiscal Commission Report, and the Regions with a slightly lower deficit.

The position as regards individual Regions appears to be that the largest deficit will have to be faced by the Coast Region, and the next largest by the Rift Valley. I can assure my KADU friends that the figures have not been manipulated to produce this result, and that revenue estimates will be provided to Regional Authorities to assist them in dealing with the 1964 Local Authorities' budget and their own 1964/65 budgets. It has been assumed that the Coast Region will receive the whole of the unallocated three-tenths of Nairobi's share of petrol and diesel revenue as recommended in the Fiscal Commission Report.

How can this deficit be met? It can in my view not be met to any significant degree by further increases in taxation, which could only be damaging to the economy and to our future prospects of economic progress. It will, I hope, be met partially by increases in revenue at existing rates of taxation, but this depends upon the revival of economic activity and a sustained expansion of our national income. I believe that the increased investment allowances which I have announced will go some considerable way towards bringing about the resumption of private capital investment so necessary for our economic development. At the same time we must continue to look for economies in expenditure and, in this connexion, I am hopeful that the recommendations of the Local Salaries Commission will assist. We shall have to devise a local salary structure related to

(Minister for Finance and Economic Planning) East African conditions and taking into account the present very low incomes of the great majority of our people. At a time when the national income per head is not increasing, increases in wages and salaries can only be found by providing wage and salary earners with a larger slice of the cake at the expense of others.

The successful transfer of responsibilities to Regional Authorities and the working out of Regional and Local Authority budgets will be a difficult task, which will demand the maximum amount of goodwill on both sides. I can assure hon. Members that the staff of my Ministry do its utmost to assist any Regional Authority seeking advice or assistance from them.

I feel that I should, at this stage, summarize the amount of assistance we shall be receiving from the British Government in 1963/64. Towards development expenditure of £14.1 million we shall be receiving £3.7 million, of which £4.6 million will be for Settlement Schemes and the remainder for the Basic Development Programme, including the Land Bank. In addition, the British Government will be providing—as already announced—£700,000 for the purchase of what are called “compassionate case farms”. There is no provision for this expenditure yet in the Development Estimates, and the necessary provision will be made by Supplementary Estimate.

Towards our recurrent budget of £40.26 million we shall be receiving, we hope, £4,173,000, being the cost of Kenya's share of compensation and the computed pension payments to designated officers, but this is still subject to negotiation. However, since the estimates were printed the date of Internal Self-Government—which is the operative date for the General Compensation Scheme—has been fixed, and a second instalment of compensation, of which Kenya's share will be about £2-million, will be payable in June, 1964. We hope to obtain assistance from the British Government towards this payment also.

Outside the estimates, the British Government will be meeting the cost of the Armed Forces—which I have already given as £2.45 million—and will be finding under the Overseas Aid Scheme a further sum of approximately £63 million, representing the overseas addition to the basic salaries of designated officers, plus education allowances and half the cost of passages plus the British Government's share of compensation payments.

I estimate, therefore, that the total assistance towards Development will be about £101 million, and the total assistance towards recurrent expenditure some £15 million. This is a formidable sum,

and we cannot, I fear, rely on assistance on this scale after independence. The total figure comes to over £25 million, and I think it is appropriate that I should place on record the Kenya Government's thanks.

Mr. Speaker, Sir, as hon. Members who have listened to patiently will be glad to know, I have now come to the end of my review of the state of the economy and the Government's expenditure and revenue proposals. I should have liked to have been able to provide for less taxation and more expansion of services, but it is unfortunately not possible for any Finance Minister to do this. I would accept that we are at the moment probably taking rather too high a proportion of the national income in taxation but, on the other hand we have succeeded in making substantial economies and we have, in my view, spread the burden of taxation fairly and equitably.

Looking to the future, the pessimist could—from the facts and figures which I have given—produce a very black picture. He could point to increasing unemployment; to a fall in the real national income per head; to quotas limiting the production of important export crops, such as coffee and pyrethrum; to the potential dangers of replacing large-scale farmers by smallholders; to the probable loss of more expatriate professional, technical and administrative skill than we can immediately replace; to the difficulties of putting into operation a complicated new Constitution; and to the difficulty in raising adequate funds for development and the lack of any reserves on which to draw.

One point that I have not yet mentioned on the development side is that in 1965, before we start spending any new money on development, we shall have to find £8 million to repay or convert local loans; to pay for the Contractor-Finance Road Project; and to meet debts due on the Mombasa Water Supply.

On the other hand, the optimist could argue that our exports are running at a record level; that our receipts from tourism are steadily increasing; that the Economic Survey forecasts a rise of at least 5 per cent in the national income this year; that large investment projects are, we believe, on the way; and that the coming of independence will itself generate throughout the economy increased effort and increased activity. He could argue, in fact, that Kenya is on the threshold of a boom.

An impartial observer, weighing up these two views, might, I fear, feel that the pessimist had the better case. I am sure that we can prove him wrong, but we shall not do so by ignoring or

(Minister for Finance and Economic Planning) minimizing the very real difficulties ahead. We shall need goodwill and understanding within Kenya and within East Africa, and a great deal of help from our friends overseas.

We must plan and work for a more prosperous Kenya, and if we plan wisely and work hard we shall succeed, but we must not allow natural exuberance—generated by self-government and independence—to dissipate the present mood of economy and realism. The road ahead is uphill and we have, over the next two years, some very tricky corners to negotiate, after which we may find a straighter and smoother thoroughfare on which we can accelerate. We can look ahead to better times, but must keep one eye at least on the road or we may land in the ditch. Let us reach for the stars, but keep our feet on the ground.

Mr. Speaker, Sir, I beg to move.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

ADJOURNMENT

The Speaker (Mr. Slade): Manifestly, hon. Members it will be convenient if we adjourn at this stage. The view of the Government is that it will also be to your convenience that we do not sit again for another week.

The House is therefore adjourned until Tuesday, 18th June, 1963, at 2.30 p.m.

The House rose at twenty minutes past six o'clock.

Tuesday, 18th June, 1963

The House met at thirty minutes past Two o'clock.

(The Speaker (Mr. Slade) in the Chair)

PRAYERS**PAPERS LAID**

The following Papers were laid on the Table:—

Report on the Working of the Civil Service Commission for the year 1962.

Council of State Annual Report, 1962.

East African Meteorological Department Report for 1961/62.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie) on behalf of the Minister of State (Prime Minister's Office) (Mr. Murumbi))

Sessional Paper No. 1 of 1963 of Observations on the Report of an Economic Survey Mission from the International Bank for Reconstruction and Development.

(By the Minister for Finance and Economic Planning (Mr. Gichuru))

Higher Education Loans Fund, 1961.

Ministry of Education Annual Summary, 1962.

The Royal College, Nairobi, Annual Report and Accounts for the year 1961/62.

The Education (Local Entry-Fees for Examinations) (Amendment) (No. 2) Regulations, 1963.

The African Teachers' Service (Employment) (Amendment) Regulations, 1963.

(By the Minister for Education (Mr. Otiende))

Report of the Permanent Secretary for Local Government for the years 1960-61.

(By the Minister for Local Government and Regional Affairs (Mr. Ayodo))

Royal National Parks of Kenya Report, 30th June, 1961, to 31st December, 1962.

The Mount Kenya Royal National Park (Amendment) Regulations, 1963.

The Forest (Forest Guards) (Amendment) Rules, 1963.

(By the Minister for Natural Resources (Mr. Sagini))

Central, Housing Board—Balance Sheet, Annual Accounts and Report of the Controller and Auditor-General on the Accounts of the Housing Fund for the year ended 31st December, 1962.

The Hospital Treatment Relief (European) (Amendment) Rules, 1962.

The Public Health (Medical Officer of Health and Health Inspectors) Rules, 1963.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie) on behalf of the Minister for Health and Housing (Dr. Munga))

Information Services Annual Report, 1962.

(By the Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko))

Third Annual Report of Central Province Marketing Board, Balance Sheet and Accounts for the Financial Year ended 31st July, 1962.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

NOTICES OF MOTIONS

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I beg to give notice of the following Motions:—

APPOINTMENT OF SESSIONAL COMMITTEE

THAT this House nominate the following Members to be members of the Sessional Committee:—

The Minister of State, Prime Minister's Office (Mr. Murumbi) (*Chairman*).

The Hon. F. R. S. de Souza (Deputy Speaker).

The Minister for Home Affairs (Mr. Odinga).

The Minister for Commerce and Industry (Dr. Kiako).

The Minister for Health and Housing (Dr. Munga).

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko).

The Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh).

The Hon. R. G. Ngala (Leader of the Opposition).

The Hon. R. S. Alexander.

The Hon. Galgalo Godana.

The Parliamentary Secretary, Ministry of Education (Mr. Kagia).

The Hon. J. D. Kali.

The Hon. E. E. Khasakhala.

The Parliamentary Secretary, Ministry of Finance and Economic Planning (Mr. Kibaki).

[The Prime Minister]

The Parliamentary Secretary, Ministry of Local Government (Mr. Konchellah).
The Hon. M. Muliro.
The Hon. J. K. Ndile.
The Hon. P. J. Ngei.
The Parliamentary Secretary, Ministry of Works (Mr. Nyagah).
The Hon. T. Okelo-Odongo.
The Hon. A.-J. Pandya.

STANDING ORDERS OF THE HOUSE OF REPRESENTATIVES

THAT the Draft Standing Orders of the House of Representatives, 1963, be the Standing Orders of this House.

LIMITATION OF DEBATE—BUDGET DEBATE

THAT speeches in the Debate on the Financial Statement on the Annual Estimates be limited to 15 minutes except in the case of two members on the Government side and four members not on the Government side whose speeches shall be limited to half an hour.

The Speaker (Mr. Slade): Before commencing the business of the day I would like to request all hon. Members during the rest of this week and possibly next week, each when speaking to state their name and constituency. That is mainly for the benefit of the Hansard Reporters, but I think we should all benefit likewise until we get to know each other a little better.

MOTION**PRECEDENCE OF BUSINESS: BY ORDER OF THE HOUSE**

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, on a point of order, Standing Order 122 (1) requires that the debate on the Financial Statement should take precedence over all other business, but, Sir, as it is essential that we should deal with the Supplementary Estimates and the Supplementary Appropriation Bill today, may I have leave to move that the House orders that all other business on the Order Paper shall take precedence over the Budget Debate today.

The Speaker (Mr. Slade): That will be that Orders 4, 5 and 6 are postponed. Will any hon. Member second this Motion?

The Minister for Commerce and Industry (Dr. Kioko) seconded.

(Question proposed)

(The question was put and carried)

COMMITTEE OF SUPPLY

(Order for Committee read)

(The Speaker (Mr. Slade) left the Chair)

IN THE COMMITTEE

(The Chairman (Mr. De Souza) took the Chair)

SUPPLEMENTARY ESTIMATE NO. 2 OF 1962/63 COLONY

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I beg to move:—

THAT a sum not exceeding £553,421 be granted to the Governor on account for, or towards, defraying the charges of Colony Supplementary Estimate No. 2 of 1962/63.

(Question proposed)

VOTE 1—THE GOVERNOR

(Head A agreed to)

VOTE 2—JUDICIAL

(Head B agreed to)

VOTE 7—OFFICE OF THE MINISTER OF STATE FOR CONSTITUTIONAL AFFAIRS AND ADMINISTRATION

Head A—Personal Emoluments

Head J—Expenses of Elections

Head K—Commissions of Inquiry

Head L—Famine Relief

Head U—Compensation and Ex-gratia Payments

Head X—Regional Headquarters

Head Y—Independence Celebrations

Head AA—Loan to Kenya Broadcasting Corporation

(Heads A, J, K, L, U, X, Y and AA agreed to)

VOTE 9—MINISTRY OF STATE FOR CONSTITUTIONAL AFFAIRS AND ECONOMIC PLANNING AND THE TREASURY

Head A—Personal Emoluments

Head G—Other Charges

Head I—Ex-Gratia Payments

Head Q—Commissions of Inquiry

(Heads A, G, I, and Q agreed to)

VOTE 10—PENSIONS AND GRATUITIES

Head A—Civil Pensions and Gratuities

[Minister for Finance and Economic Planning]

Head C—Military Pensions

Head D—Widows' and Orphans' Pensions increases

Head E—Contributions to Funds

Head F—Payments under compensation schemes (Heads A, C, D, E, and F agreed to)

VOTE 13—MINISTRY OF EDUCATION

Head A1—Personal Emoluments

Head G1—Personal Emoluments

Head N—Ford Foundation Grant

Head R—Purchase of Vehicles

(Heads A1, G1, N and R agreed to)

VOTE 14—MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY

Head A—Personal Emoluments

Head G—Miscellaneous Other Charges

Head K—Subsidies, Refunds and Guarantees

Head M—Agricultural Stations and Schools

Head O—Veterinary Laboratories and Stations

Head AC—Animal Industry

(Heads A, G, K, M, O and AC agreed to)

VOTE 15—MINISTRY OF LAND SETTLEMENT AND WATER DEVELOPMENT

Head A—Personal Emoluments

Head B—House Allowances

Head C—Passages and Leave Expenses

Head F—Miscellaneous Other Charges

Head G—Irrigation Schemes

(Heads A, B, C, F, and G agreed to)

VOTE 16—MINISTRY OF COMMERCE AND INDUSTRY

Head II—Compensation and Ex-gratia Payments (Head H agreed to)

VOTE 17—MINISTRY OF HEALTH AND HOUSING

Head A2—Personal Emoluments, Medical and Training Division

Head M—Miscellaneous Other Charges

(Heads A2 and M agreed to)

VOTE 18—MINISTRY OF SOCIAL SERVICES

Head G5—Travelling and Subsistence Expenses on Duty

Head G7—Food

Head G12—Electricity, Water Conservancy and Fuel

Head G13—Prisoners' Earning Scheme (Heads G5; G7; G12 and G13 agreed to)

VOTE 19—MINISTRY OF LABOUR

Head A—Personal Emoluments (Head A agreed to)

VOTE 21—LOCAL GOVERNMENT CONTRIBUTIONS

Head B—Contributions, Staff Salaries (Head B agreed to)

VOTE 22—MINISTRY OF LANDS, SURVEYS AND TOWN PLANNING

Head E1—Expenses of United Nations Cartographic Conference for Africa

Head H6—House Allowances

Head K1—Personal Emoluments

Head K3—Purchase of Vehicles, New

Head K4—Maintenance and Running Expenses of Vehicles

Head K6—Equipment, Maintenance, Postal and Incidental Expenses

Head K7—Contract and Aerial Surveys

Head K8—House Allowances

Head L6—Mombasa Master Plan

Head M1—Personal Emoluments

Head M2—House Allowances

Head M3—Passages and Leave Expenses

Head M4—Travelling and Subsistence Expenses on Duty

Head M5—Miscellaneous Other Charges

(Heads E1, H6, K1, K3, K4, K6, K7, K8, L6, M1, M2, M3, M4 and M5 agreed to)

VOTE 23—MINISTRY OF TOURISM, FORESTS AND WILD LIFE

Head A—Personal Emoluments

Head O—Ex-gratia Refunds and Payments

Head P—Refunds and Payments

(Heads A, O and P agreed to)

VOTE 24—MINISTRY OF WORKS AND COMMUNICATIONS

Head A1—Personal Emoluments

(Head A1 agreed to)

(The question was put and carried)

SUPPLEMENTARY ESTIMATE NO. 1 OF 1962/63—
DEVELOPMENT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move the following resolution:—

THAT a sum not exceeding £1 be granted to the Governor on account for, or towards, defraying the charges of Development Supplementary Estimate No. 1 of 1962/63.

Head D.1—Localization and Training

Head D.2—Administration and Broadcasting

(Heads D.1 and D.2 agreed to)

Head D.3—Land Settlement

Mr. Alexander: Mr. Chairman, I just wanted to ask whether this heading, D.3—Land Settlement, means that what we have just approved, which concerns Land Settlement under D.2, is not added to the capital cost of what we regard as Land Settlement as an expenditure all under one heading?

The Chairman (Mr. De Souza): I believe that the hon. Minister said that the explanation would be given tomorrow.

Mr. Alexander: Mr. Chairman, Sir, how can it be given tomorrow because we do not come back to this question tomorrow? Once we have completed it is finished.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, Sir, I wonder if the hon. Member would ask his question again. I am very sorry but I was looking at my own brief and I feel that I should answer this question having been Minister for Land Settlement previously.

Mr. Alexander: My purpose, Mr. Chairman, was to try to establish whether all Land Settlement expenditure is grouped under one heading to come out of the funds that have been made available to us by the British and other authorities. I was a little puzzled because under Heading D.2, which we have just approved there was expenditure concerning Land Settlement and I was rather puzzled as to why—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On page 37

Mr. Alexander: On pages 2 and 3 there is expenditure on Land Settlement and I was wondering why it is not under this one heading so that we get a composite picture.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, on page 4, Loans to Settlement Board for purchase of agricultural properties, the large amount there is Her Majesty's Government's money. If you turn

back to the expenditure under D.2—Transit Farms which some people maintain is partly Land Settlement, are financed from Kenya's own resources. So is interim settlement, none of this money comes from Her Majesty's Government. The settlement of the Nandi salient is the Kenya Government contribution to an amount which will be added to it when obtained from Her Majesty's Government which will come out in later estimates. But this is the original estimate, part of the contribution from the Kenya Government. The Emergency Settlement Schemes are also a contribution from the Kenya Government. These are expenses tied to the emergency schemes, the actual land for those settlement schemes comes off Head D.2.

Mr. Alexander: In fact, Mr. Chairman, do I understand that in fact there are two types of main headings for Settlement; one type for which we have to find the money ourselves out of our Kenya resources—I am not questioning whether it is for land or anything—and then another type to be under a variety of headings that comes out of the big bulk of money that we have heard about, many-millions from overseas sources?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, the main settlement schemes, finance comes from overseas sources. These amounts under Head D.2 are amounts which are commitments of the Kenya Government trying to get various smaller settlement schemes operative, and putting them into an interim scheme before they go into a large settlement scheme. And it was felt that we as Government did not want to get the two mixed up, so it was operated by the Leader of the Opposition, it was operated under his Ministry. That is why it is under D.2. In other words it was operated by the Administration.

(Head D.3 agreed to)

Head D.4—Finance and Development

Head D.8—Agriculture and Animal Husbandry

Head D.11—Health and Housing

Head D.12—Social Services

Head D.15—Tourism, Forests and Wild Life

Head D.16—Works and Communications

(Heads D.4, D.8, D.11, D.12, D.15 and D.16 agreed to)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I beg to move that the Committee report to the House its consideration of the resolutions in respect of Colony Supplementary Estimate (No. 2) of

[Minister for Finance and Economic Planning] 1962/63 and Development Supplementary Estimate (No. 1) of 1962/63 and its approval of the same without amendment.

(The question was put and carried)

(The House resumed)

(The Speaker (Mr. Slade) in the Chair)

REPORTS

SUPPLEMENTARY ESTIMATE NO. 2 OF 1962/63—
COLONY

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of Supply to report that it has considered the resolution that a sum not exceeding £553,421 be granted to the Governor on account for or towards defraying the charges of Colony Supplementary Estimate No. 2 of 1962/63 and its approval of the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said resolution.

(Question proposed)

(The question was put and carried)

SUPPLEMENTARY ESTIMATE NO. 1 OF 1962/63—
DEVELOPMENT

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of Supply to report that it has considered the resolution that a sum not exceeding £1 be granted to the Governor on account for or towards in defraying the charges of Development Supplementary Estimates No. 1 of 1962/63, and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said resolution.

The Minister for Commerce and Industry (Dr. Kiano) seconded.

(Question proposed)

(The question was put and carried)

BILL

First Reading

SUPPLEMENTARY APPROPRIATION (NO. 2) BILL
(Order for First Reading read—Read the First Time—Ordered to be read the Second Time today)

BILL

Second Reading

SUPPLEMENTARY APPROPRIATION (NO. 2) BILL

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the Supplementary Appropriation (No. 2) Bill be now read a Second Time. This is a formal Bill which gives statutory approval to the financial provision made in the Supplementary Estimates which were approved by the House earlier this afternoon.

The Minister for Commerce and Industry (Dr. Kiano) seconded.

(Question proposed)

(The question was put and carried)
(The Bill was read a Second Time and committed to a Committee of the whole House today)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Speaker (Mr. Slade) left the Chair)

IN THE COMMITTEE

(The Chairman (Mr. De Souza) took the Chair)

SUPPLEMENTARY APPROPRIATION (NO. 2) BILL

(Clauses 2, 3 and 4 agreed to)

(Schedule agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I beg to move that the Committee doth report to the House its consideration of the Supplementary Appropriation (No. 2) Bill and its approval of the same without amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

(The Speaker (Mr. Slade) in the Chair)

REPORT AND THIRD READING

SUPPLEMENTARY APPROPRIATION (NO. 2) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee that it has considered the Supplementary Appropriation (No. 2) Bill and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said report.

The Minister for Commerce and Industry (Dr. Kiiano) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiiano) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

MOTIONS

EXEMPTION FROM STANDING ORDERS: (S.O. 122 (2) (1961 EDITION))

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I beg to move the following Motion:—

That the debate on the Financial Statement on the Annual Estimates be exempted from the provisions of Standing Order 122 (2) (1961 Edition) to the extent of allowing eight days, instead of five, exclusive of the Mover's speech and reply.

The Minister for Commerce and Industry (Dr. Kiiano) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, in response to the Motion which is moved by the Prime Minister, I would like to know, Sir, how this idea of eight days was reached and whether the Government do not consider it wise to consult with the Opposition on this. Sir, my submission is that during this stage of our Constitutional change it is very important that the financial provisions are fully discussed by the Members here because the present financial provisions that we are discussing do create the basis for the Regional Government, and I submit, Sir, that eight days is not sufficient. Seeing the increase of Members, hundreds of Members around us, I think we

should have more days, and it is most important and in the interests of the country that we should have further time to discuss these very vital financial provisions, particularly for the Regional Governments.

So, I submit, Sir, that eight days are not sufficient.

The Speaker (Mr. Slade): I take it, Mr. Ngala, you do not actually want to move an amendment, do you? Are you actually moving an amendment?

Mr. Ngala: Yes, Sir, I would like to move an amendment.

The Speaker (Mr. Slade): What is your amendment?

Mr. Ngala: That instead of eight days it should be fourteen days.

Mr. Murgor seconded.

The Speaker (Mr. Slade): I have to propose the question, which is, according to our procedure, in two parts. First of all, I have to propose the question that the word "eight" be left out of the question, that is with a view of substituting "fourteen" afterwards.

(Question of the first part of the amendment that the words proposed to be left out be left out proposed)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, on a point of Order, I was wondering if, for the benefit of new Members, you would care to explain just what takes place in these debates. First of all the speech by the Minister for Finance is debated, then the Heads of the Ministries are taken thereafter. I was wondering if you would explain to new Members just what it does mean before we debate this.

The Speaker (Mr. Slade): I think it is desirable that hon. Members should understand the procedure for consideration of the Annual Estimates. First of all there is a general debate on the Statement by the Minister for Finance, which you are discussing at present. That is an opportunity for discussion of almost anything because almost anything is relevant to the finances of the country. Subsequently, we have a certain number of days allotted by our Standing Orders for consideration of each particular Vote, that is to say the money required by each particular Ministry. That debate for each Ministry—each Vote—is an opportunity for discussing the general policies of that particular Ministry as well as any details contained in the Vote.

[The Speaker]

It will be found that the days allotted for this purpose are not sufficient for every Vote to be discussed, so it is left to the Opposition to name the order of precedence in which they would like to discuss the Votes in the Estimates. It is their choice, because it is their opportunity of the allotted days, then all other Votes are automatically passed by a procedure known as the "Guillotine".

Now, there is one comment I would like to make on the general debate, which you are about to embark on today, and that is, that it is best used as an opportunity for general discussion of the finances of the country rather than an opportunity of discussing particular items which should be more properly discussed when you come to the particular Votes.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I do strongly object to any extension of the time for the general debate, as I feel that the time already allotted is quite enough, it is even more than enough. However, I know that the Members opposite always like to delay any progress of Kenya and this is the attitude which, Mr. Speaker, they are still employing. Instead of completing the Constitution of Kenya within a month they took six months. Mr. Speaker, in the strong position which we now hold, I will not actually accept any tactics of delaying our programme.

The Parliamentary Secretary for the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I personally do not think there is any need to increase the number of days allowed beyond the period of eight days. In the last Council we had a membership of about 80, now we have 129 Members. This is a little more than a 50 per cent increase. The increase allowed from five days to eight days is proportionate to the increased number of Members. I think eight days is quite enough.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, it is obvious to me that the Leader of the Opposition has not done his arithmetic. If every Member in the House speaks for 15 minutes we are going to use up approximately thirty hours, for fourteen days we have something like fifty-six hours, therefore it means that the six people who are allowed to talk for half an hour will need three hours. That makes it a matter of thirty-three hours, and I do not know what we are going to do with the other twenty-three hours. Therefore, I think he is obviously going to attempt to

amend the next Motion as well, which means that everybody is going to be allowed to speak for more than 15 minutes. I would like to ask him whether he would reconsider and withdraw his amendment. If he works out that if everybody speaks for fifteen minutes—with six people being allowed half an hour—he will find that it comes to just eight days. I would, therefore, ask him to consider withdrawing his amendment, especially as over and above this we are going to have a great length of time to discuss the various Ministries.

Mr. De Souza: Mr. Speaker, Sir, I would like to make this point to the House, that this particular Motion arises from the discussions and decisions of the Sessional Committee which, in fact, has the powers to make recommendations for the Order before this House. For the benefit of new Members, the Sessional Committee consists of Members from both sides of the House and in this particular occasion it was ably represented by Members from the Opposition side. This number of days was, in fact, a unanimous decision taken by both Members from the Kadu/A.P.P. side as well as from the Kanu side under my Chairmanship.

Mr. Speaker, Sir, a point I would like to raise is that in fact at that meeting a Kadu Member proposed that there should only be a ten minute allowance for the debate, and it was due to the other Members that it was proposed that fifteen minutes should be allowed and that this debate should be taken over to eight days. I feel it is not quite fair to object now after having agreed—to the Opposition and the Government sides—a fifteen minutes debate. In fact, Members are probably fully conscious of the fact that after one or two days debate on the Budget Speech we are likely to get much repetition of speeches and Members of the Opposition side will probably get more bored than anyone else. I think it was in the interests of keeping this debate lively and interesting, and yet giving everyone in the House a chance to speak, that it was decided to give every Member fifteen minutes to speak, four Members of the Opposition side half an hour to speak and two Members of the Government side half an hour to speak. I believe all the Members of the Sessional Committee were satisfied that that amount of time gave sufficient room for each and every individual Member to say as much as he wanted in the debate.

The Speaker (Mr. Slade): You must not anticipate the next Motion by discussing the length

[The Speaker]

to be allowed to each Member, though it is admittedly relevant to the present Motion.

Mr. Alexander: I am only concerned with a point of explanation because what the hon. Member for Nairobi North-West has just said is on the record and I think it is right that we should get the record properly correct. It was not the Sessional Committee which met and decided this, and there were not several Members from the Opposition represented. What in fact happened, Mr. Speaker, is that the Clerk, realizing that somebody had to take some initiative to get some organization for purposes of this Sitting today, very rightly took it upon himself to call together as many Members as he could find in Nairobi in an emergency meeting on Saturday morning. In fact, what met was called a Sessional Committee designate and in fact, Mr. Speaker, I was the lonely voice from this side of the House, there was nobody else there. In this particular respect I agreed entirely with these Motions that are now before the House. That, Mr. Speaker, is an accurate record of the position.

Mr. Gichuru: I think, Sir, that the Leader of the Opposition and the last speaker from the Opposition side has an idea of turning this Chamber into a commercial institution. We have to make money, Sir, in order to make the welfare state we want. To prolong the debate for three more days would mean more explanations from the Government and at the same time it would cost more money. If a Sessional Committee was not valid I would rather say that the Council of Ministers in the Coalition Government was not an authoritative body to create the Constitution as it stands today in the united country of Kenya. I should say, too, that whatever has been deliberated by the Sessional Committee and if they have come to the conclusion that it would be fair to make these days to eight, to remember that the common man's interests must be taken into consideration before anything else, was proper. At every Session we have here, Sir, we spend public money. We have very big services from our Ministers, but all the same we should be able to make it our duty to take care of the common man.

Mr. Pandya: Mr. Speaker, Sir, I think it is regrettable and unfortunate that Members from the Government side, and particularly the Minister for Home Affairs should impute improper motive to the Opposition for proposing an amendment to this Motion. I would also

refer to the last speaker, who has in his maiden speech dealt with matters of controversy and I think with matters which are not relevant to this Motion. I want to assure the hon. Members, and particularly those on the Government side, that we are not introducing delaying tactics and if the reason that the Leader of the Opposition put forward this amendment was to give an opportunity to most of the Members to speak in this debate. He is concerned with matters of general interest, particularly referring to the finances of the Colony and many matters can be discussed under this Financial Statement. But to talk of delaying tactics of the Coalition Government, and they were part of that Government, is, I regret, Sir, an insinuation which is being made to an Opposition which so far has been constructive, and if anything, these remarks of the hon. Member who has just sat down are most irrelevant and, if I may say so, Sir, insulting to the Members of the Opposition.

The Speaker (Mr. Slade): What Mr. Pandya has just said might indeed have been raised as a point of order. It is one of our important Standing Orders that hon. Members should not impute improper motives to each other, and I do beg all hon. Members to observe that rule very strictly. Otherwise, the level of our debates will be reduced far below the past standard. There have been suggestions made this afternoon, as I understood them, that hon. Members of the Opposition Side have not the right motives in asking for longer time. There has even been a suggestion that they were trying to earn money by spinning out the time. These suggestions must not be made.

The Minister for Home Affairs (Mr. Odings): On a point of order, or of explanation, Mr. Speaker, what are actually termed improper motives and who is the judge?

The Speaker (Mr. Slade): I think it must be clear to all hon. Members what motives are proper and what are improper in this Chamber. Surely all motives are proper where the object is different views there may be as to what is for the welfare of this country, whatever the personal motives not directed towards the welfare of this country, but to something else which is not in the interests of the country.

The Minister for Finance and Economic Planning (Mr. Gichuru): Sir, I would like to thank my hon. colleague, the Minister for Home Affairs, in stating that the Government has no intention of extending the time beyond the eight days.

The Speaker (Mr. Slade): I will not put the question of the amendment.

(Question that the word proposed to be left out, be left out, put and negated)

Therefore, the question stands as you see it on the Order Paper. The debate may continue.

(Resumption of Debate on Original Motion)

I do not think you have the right to speak again, Mr. Ngala.

Mr. Ngala: I thought I had the right to speak on the original Motion?

The Speaker (Mr. Slade): No, I am afraid not. People speaking to your amendment can speak again on one of the other parts of the main question, but at the time you spoke we were on the original question still, so I am afraid you cannot speak again. Do you wish to reply, Mr. Gichuru?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I wish to reply on behalf of the Prime Minister.

The Speaker (Mr. Slade): I assume that the Prime Minister has ceded to you his right of reply.

The Minister for Finance and Economic Planning (Mr. Gichuru): We feel, Sir, as my colleagues have indicated that the eight days are enough, instead of the usual five days we have had hitherto, Sir, I beg to move:

(The question was put and carried)

The Speaker (Mr. Slade): Before calling on Mr. Kenyatta to move his Motion, I should explain to hon. Members that I have allowed this today, although notice of Motion was only given today. It is, of course, the usual practice to wait at least one day after notice of Motion has been given, but in this case it was obviously impossible to do that if the Motion was to be any use today, that is why it is on the Order Paper now.

LIMITATION OF DEBATE: BUDGET DEBATE

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I beg to move:—

THAT speeches in the Debate on the Financial Statement on the Annual Estimates be limited to 15 minutes, except in the case of two Members on the Government Side, and four Members not on the Government Side, whose speeches shall be limited to half an hour.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

Mr. Ngala: I want to agree with the Prime Minister in this Motion, but I would like to protest very strongly, on behalf of the Opposition, to the habit the Government has developed of suddenly calling a Committee and taking advantage of Members of the Opposition being absent, and filling the Sessional Committee with their own stooges, their own Members. I strongly object to this. As already indicated by the hon. Member, Mr. Alexander, he was the only one in the Sessional Committee from the Opposition. The Government had time to give us an opportunity to select and be present. We think the order of the business and how it is conducted very important. I feel it is thoroughly irresponsible of the Government to take advantage of this point.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I do not think this need rise again, as the honourable Prime Minister has already moved what constitutes the Sessional Committee.

(The question was put and carried)

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
(Resumption of debate interrupted on 11th June, 1963)

The Speaker (Mr. Slade): I will remind hon. Members that when we adjourned on the 11th June, 1963, we had reached the point that the question that Mr. Speaker do now leave the Chair had been proposed and so the Motion is now open to debate; but I would request hon. Members, as well as giving their names and constituencies, at any rate in the case of new Members, also to get as near as they can to the microphones so as to make it easier for HANSARD reporters, because some of you are very far away. Perhaps you could move down if you want to speak. And make sure that you keep hands or papers off the microphones, otherwise they are no use.

Mr. Ngala: Mr. Speaker, Sir, my constituency is Kilifi South.

Mr. Speaker: I would like to congratulate the Minister for Finance for the very able and clear manner in which he presented the Budget.

[Mr. Ngala]

First of all, I would like to acknowledge that this Budget is in some aspects the efforts of the Coalition Government and I do not intend, therefore, to criticize the aspects that we agreed upon while we were in the Coalition Government, but I intend to dwell on the aspects which have been included by the present Government in the Budget.

Sir, this Budget is a reflection of the Government's lack of initiative in solving the problem of unemployment in Kenya. This is a problem which is very disturbing. Reading through the Budget, I see that the Government has totally failed to solve, or come anywhere near touching the problem of unemployment. Instead of coming out with a crash programme—they were very fond of this word when they were in opposition—they have only fallen back on the old three-year programme of development (of which one year only remains), which provides even less opportunity of employment in this year than in 1962. This means, Sir, that during this period of internal self-government more people will go hungry because of not having any employment; it means that more people will go without clothing, all because the Government has failed to have the foresight over the problem of unemployment. During a time of such unemployment, the Government has seen fit to raise the fees and hit the African secondary school parents very hard with an increase of Sh. 50. Now, this means that instead of Sh. 400 a year, parents of students in African secondary schools will have to pay about Sh. 450 a year. The Asian and European parents in primary and intermediate schools have also had a very big increase in the school fees. Just four weeks ago this very Government said very strongly that they were going to provide free education. Where is this free education? We know, now, that these people were making a cheap slogan to curry the votes of the people. They did not intend at all to fulfil their promises. The promises that were given four weeks ago, Sir, are shown as empty, as promises which are cheap coming into power has done nothing to fulfil. Now we know what sort of Government it is which gives promises and after four weeks forgets them. The Budget, Sir, has hit at the local authorities very hard. I am sure this was done on purpose by the Minister for Finance, although in his statement he said that this was not just a political manoeuvre. It is a severe position, but I do not want to take his statement as a fact. I think that he must have some secret plan in devising this programme.

I would like to make it very, very clear, Sir, that the Government is withdrawing grants from the centre to the local authorities, which will mean that the local authorities in January, 1964, will be bound to raise their taxes. It may be Personal Taxes or any other form of taxes they have. They will have to raise these taxes if they are to go on providing the services that they are providing now and also raise and increase—or extract the services. It is no use for the Minister to say that it is not on page 34 of his speech where he says it is not his responsibility to know what the increase will be by the local authorities, but the Minister is a very source of this increase that will be effected by the local authorities in 1964, because the Minister has withdrawn the grants and has purposely made it very difficult for the county councils to run their services, in which case the county councils will have to levy more taxes to make it quite clear that they have the services for the people. Now, it is no use blaming the Fiscal Commission. This country is not being run by the Fiscal Commission. This country is being run by the Government. It is no use saying "Hear, hear"; I am stating the fact. I am telling the Government, Sir, that they have failed in their responsibilities. They are keeping money in the centre, they are not throwing the money to the countryside, to the county councils where the money is needed most. Today, people are dying in dispensaries, they have no food; they are dying because they do not have many other facilities, and yet here is the Government which says "We shall hold the money in the centre, we shall hold the money for the Ministers here, and the Parliamentary Secretaries"; and the money is not given out to the countryside who are the taxpayers and who need the money more than most of the people in this country.

Now, I particularly want to protest to the Minister against his action in purposely creating these difficulties for the regional governments and also for the local governments. I would like to make it very clear that in 1964 when taxation is raised either by the regions or by the local government the blame should be laid squarely on the Minister for Finance's decision because he has withheld the money that should flow to the local governments and the regional governments.

Sir, the Constitution provides very clearly that whatever money is made available to the local government should be made available to them, but here we have a situation where the Minister for Finance has refused to fulfil his responsibility. The regions, he says, are to start with big deficits when they make the 1964/65 estimates. It is true

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that they have to face these deficits because the Minister has planned it that way, and he has intended purposely to make it very difficult for the regions and for the county councils in 1964. Now these county councils, as young children, should be helped by the Minister so that they can at least get some amount of help financially at the beginning. They are starting with very difficult times indeed because of the decision by this Government.

Now, the Personal Gratuity taxes by the county councils. This will have to be considered. It is true that the Constitution provides that they are proposed by the county council and considered as finalized by the Regional Assembly. But because of the action of the Minister these personal taxes may have to go up. The county councils may have to raise the personal taxes so that they can give the services. I would like to know today because the very manifesto of the Minister's party has said that they are going to provide free education, free medical services. I would like to know under this, in this spirit, with this attitude how are the county councils and the regional governments going to provide free education, free medical services if the mentality and if the attitude of the central government is like this? I would like to get a full explanation from the Minister concerned how he intends to help the county councils and the regional governments to fulfil those services which are vital today to the country and to the people within the county councils and also within the regional governments. Some people do not know the difference, Sir—"authority" is the same as "government".

Mr. Speaker, Sir, the other aspect which I would like the Minister to clear is this question of pay for our army after independence. We take it that it is one of our responsibilities which we must undertake, but his speech does not explain how we are going to pay for our army. He only says the Economy Commission has had to introduce this tax and one of the things that he may pay for is the army. This is not sufficient, Sir. It does not explain the situation. The tax has been made because the present existing expenses are too much and the cuts are made to reduce them. The existing expenses, they are not cut they are not made to make up and get supplementary revenue for paying for the army. So I would like to know where the £2,000,000 will come from and what the Minister envisages on this, and also I would like to know where the additional £1,000,000 loan charges and pensions will come from so that we do not have to be faced with an army that we cannot pay for and

an army that we cannot properly uniform and also find ourselves in difficulty.

Now, Sir, the other aspect which I would like the Minister to explain is the expenditure of Ministers and Parliamentary Secretaries. The present Government, Sir, in spite of powers being transferred to regions exclusively—"exclusively" is the operative word—in spite of these powers being reserved for the regions exclusively in administration as well as in legislation the Government has created a very "partitious" cabinet. Now, you have Sir, various ministries which have no job at all, such as the Ministry of Local Government. What is the Minister going to do except looking after the accounts of the City Council of Nairobi? The Minister for Local Government has only got the City Council of Nairobi according to the constitution. Should the taxpayer pay Sh. 7,000 a month to a person just to look after the City Council of Nairobi? This is a very fictitious ministry, Sir. I would like to get some clear explanation from the Minister for Finance why a separate ministry has to be created and also get an explanation from the Prime Minister why he deemed it right to tax the taxpayer such money that will be paid fictitiously and which does not have the job that it is worth the pay. To look at the other things: three Ministers of State in one office, four Ministers, including the Prime Minister, in one office. Can a country like Kenya stand this? This, I think—Wait, I am coming to it. A country which is almost twice the size of Kenya—Tanganyika—how many Ministers has it got? It is twice the size of Kenya and has a population almost one and a quarter times as big as that of Kenya. Now, why should we have all this front line of people who are not doing anything?

Hon. Members: Jealousy, jealousy.

Mr. Ngala: Mr. Speaker, Sir, I am not jealous at all. I am very happy where I am. At least when I was a Minister I was looking after Administration, I was looking after Constitutional Affairs, I did not have herds of Ministers in my office.

Sir, look at a country like Great Britain with so much wealth, so much investment and such complicated business, how many Ministers does it have in the Cabinet? About thirteen Ministers only.

My point, Sir, is that here there is a poor country which has entered the stage of internal self-government with no employment, people dying of hunger, some people have got to live on mangoes, and yet a Cabinet is created which is completely fictitious, there is no job to do. I have

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given one example of the Minister for Local Government. Another example is the Minister for Home Affairs. The Minister for Home Affairs, Sir, is not here, but I would like a clear definition of what his job is in the Constitution; I would like a clear explanation of what his job is going to be to warrant that payment, to warrant that salary which the Minister for Finance is putting down for him, because the Constitution shows very clearly that his job could have been amalgamated with some other person's and he could have been got rid of. He is quite unnecessary on the front bench there.

Sir, the other thing I would like to know is what the duties and functions will be of the Minister for Pan-African Affairs. Sir, our taxpayers are not going to pay the tax for a chap who will go round just doing the PAFMECA work. PAFMECA jobs should be paid for by members of PAFMECA, and political organizations belong to PAFMECA, and the Government has no right to ask the taxpayers to pay for chaps who will do the job of PAFMECA. Surely, Mr. Speaker, this—

The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of order, Mr. Speaker, is the hon. Member right in addressing the Minister for Pan-African Affairs as that chap?

The Speaker (Mr. Slade): It is more proper to refer to hon. Members as hon. Members.

Mr. Ngala: Mr. Speaker, Sir, these chaps are wonderful. I think the correction of the hon. Member—

The Prime Minister (Mr. Kenyatta): On a point of order, Mr. Speaker, Sir, I think the Member for the Opposition should respect this House; he should not repeat "these chaps". I think that is disrespect of this House after the raising of a point of order.

The Speaker (Mr. Slade): I take it, Mr. Ngala, that was a slip of the tongue, and you did not intend to refer to them further as "these chaps"?

Mr. Ngala: Mr. Speaker, Sir, I am in full agreement with the hon. Member who have put me right on that point. But, Mr. Speaker, Sir, I hate these interruptions from the Government side; I think they should keep quiet and let me alone to say what I want to say on behalf of the Opposition.

The Speaker (Mr. Slade): It is always proper for hon. Members to interrupt on a proper point of order.

Mr. Ngala: Mr. Speaker, Sir, my point here was that it is quite unnecessary for the country and the taxpayer to pay for the whole of this Front Bench, whereas half of them could do the job, and save the money for the hungry, for those who have no clothes in the country and people dying living on mangoes, there are many people living on wild fruits in Kenya, and there is need for saving this money instead of paying these hon. Members in front who have very little work to do. But I would like to know from the Minister for Finance very definitely how different the job of the Minister for Pan-African Affairs is from that of the Minister for External Affairs, because Pan-African Affairs are external affairs, and why have that redundancy in the portfolio? I would like to get some explanation.

As regards the Minister for Local Government, too, I would like to get an explanation as to why he warrants the salary he is getting as Minister when he has no job to do. That applies to the Minister for Home Affairs as well.

I have made it quite clear that this is a genuine submission to try and find out the facts and how these decisions were reached by Government. I think the Opposition and the country is entitled to know, because we pay the Ministers over there.

Now, another point is that I would like to know whether the Government is thinking of reducing the Ministers' salaries, because it does not say here in the speech of the Minister for Finance whether the expenditure on Ministers will need an extra Supplementary Estimate or not. If so, we would like to know what the new salary for the Ministers is going to be.

Yet another point, Sir, is the question of Parliamentary Secretaries. Since some of the Parliamentary Secretaries were appointed, Sir, I am informed that most of them are never at jobs, most of them are never in their offices. If this is true, as I am told, I would like to get some explanation as to what functions—

Mr. Masori-Itumbi: On a point of order, Mr. Speaker. What, has the hon. Member opposite got to do with the Government (Inaudible) the Government to know whether the Parliamentary Secretaries are given jobs or not.

Mr. Ngala: Mr. Speaker, Sir, the hon. Member is quite ignorant, he does not know that the Parliamentary Secretaries are paid by the country. This is a Budget on the expenditure of the country and this House has every right to inquire

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how the expenditure of the country is carried out by the Government.

The Minister for Education (Mr. Otiende): On a point of order, could the hon. Member substantiate and state which Parliamentary Secretaries in this present Government have been found not to be doing their work?

The Speaker (Mr. Slade): You have to substantiate your allegation, Mr. Ngala.

Mr. Ngala: I said, Mr. Speaker, that I was informed.

The Speaker (Mr. Slade): It is a difficult matter for hon. Members to appreciate always what amounts to substantiation of an allegation. I have tried to explain it on other occasions in the former Legislative Council. Basically, it means that if you are challenged on a statement of fact you must be prepared to state the evidence on which you are making the allegation. It may not be conclusive evidence—

(*Interruption from hon. Members*)

Order, order! I cannot allow interruptions when I am speaking to the House.

It need not be conclusive evidence, but it is such evidence that the House is able to weigh. So when Mr. Ngala says he was informed, he must say by whom he was informed, and he must say of what Parliamentary Secretaries he is speaking. Otherwise it is always open to the hon. Member to withdraw his allegation and continue his speech.

Mr. Ngala: Mr. Speaker, Sir, I would like to know whether a Parliamentary Secretary like Mr. Knochellah had the permission of his Minister to be in Nakuru?

The Speaker (Mr. Slade): That is not really satisfactory. You must deal with this one way or the other; state what is the basis of the allegation or withdraw it.

The Prime Minister (Mr. Kenyatta): On a point of information, Mr. Speaker—

The Speaker (Mr. Slade): Mr. Kenyatta, when I am asking an hon. Member to deal with a point of Order you must wait for me to do so.

Mr. Ngala: Mr. Speaker, Sir, I think I would like to give the information later on, if I may.

The Speaker (Mr. Slade): You will have to give it now. Hon. Members must again understand this; they cannot make allegations, then find their evidence afterwards. They have got to say now on what it is based.

Mr. Ngala: Mr. Speaker, Sir, while withdrawing it now I would like to make it quite clear that I will move a Motion on this because of what is going on with Parliamentary Secretaries being absent—even now—from the House.

The Speaker (Mr. Slade): You withdraw now, but will return with a Motion when you have marshalled your facts.

Mr. Ngala: Sir, going on to the Development Programme. The Minister said very rightly that the emphasis must be placed on the development of agriculture. I would like to know the policy under which this development will be carried out, because in the past the policy of only developing the high potential areas has greatly let down the areas that have not got such a high potential and these areas have not been developed. Such areas as the Masai areas, the Coast, Rift Valley or Nyanza areas have been brushed aside with regard to development. I would like to know that in emphasizing that development should be in agriculture the Minister means that the old policy will not be used so as to bring about a balance in agriculture development in the country.

In connexion with this I think that the settlement schemes need definite reconsideration. I would like to agree with the Minister himself when some time ago he made a statement at Limuru where he is alleged to have said that he thinks that the present policy on settlement must be reviewed and we must think over this policy. Now in his own statement there is no indication, Sir, to show that this thinking has taken place because whatever money we are borrowing from the United Kingdom, the United States or Germany we have still got to avoid the dangerous habit of splitting the useful land into small bits just with the excuse that people are landless. There was a time when it was profitable to do this and to help the landless people, but economically now there must be a review of this policy so that good economic agriculture can take place throughout the country.

Sir, I would like to know whether the Government is intending to review this policy on settlement.

The other point on this is the recommendation by the World Bank on agriculture. I would like to know whether a paper on this Report will be discussed here in the House, because it is very important for us all to discuss the fine that our agricultural development is going to take. Since the Minister has stated very clearly that he will be guided very closely by that World Bank Report, I would like to know whether he intends

[Mr. Ngala]

to have it discussed in this House. That also applies to another Sessional Paper which I will mention afterwards.

The Speaker (Mr. Slade): Your half-hour has come to an end I am afraid.

Mr. Chepitikil: Mr. Speaker, Sir, I am a supporter of the Government already formed by Kanu. We should know that these regional governments are very insufficient governments which are letting us down. I would ask the Government to sweep away these regional governments as soon as possible if we want to have a prosperous government. We have forgotten that in order to get money to develop this country we need unity, and with this fleet of small governments in the country—and we know very well that some regions are very poor, and can never support themselves—we can never do it. We should, therefore, only have one unitary Government and use our money to develop our country. What we should concentrate on is national development and local authorities in the regions.

Mr. Omar: On a point of order, Mr. Speaker, Sir, is it right for an hon. Member to concentrate on regionalism and local authorities rather than on the Budget Speech?

The Speaker (Mr. Slade): Yes, this is a debate where almost everything is relevant. The speech of the Minister lays open the whole question of the finance of the country, and that lays open the whole question of what the Government is doing, or not doing. Therefore, I do not think there is anything apart from entirely foreign affairs which will be irrelevant in this debate. You will find the same arises again when this House debates the Annual Speech from the Throne; as it is called, which is the general declaration of Government Policy. Hon. Members, therefore, do have a very wide run on this particular occasion, but on other occasions they will find that they are held very strictly to the point in view.

Mr. Chepitikil: I would like the Minister for Finance not to make any estimates for these regional governments. It would be better for him to make bigger estimates for the local authorities and our big unitary Government. The Leader of the Opposition is always speaking through ignorance and I am frank to say that if God created human beings and put us here, we were meant to live together, I am quite sure he is working behind some people. Instead of spending our money on a unitary Government, he thinks we will spend some money to spend in his regions. He then stands and says he needs more

money for the development of the country. Hon. Members, how can we get that money? He has forgotten about that. We want one unitary Government and that Government is Kanu and let us get our money and spend our money in a good way.

Taking this local authority as our legal Government, working direct through, the Central Government, is a course which will not produce enough—

The Speaker (Mr. Slade): Order, order. Hon. Members must learn that it is out of order for them to walk between the Chair and an hon. Member who is speaking. They must go behind.

Mr. Chepitikil: Thank you, Mr. Speaker. These regions do not produce enough to support themselves. Therefore, that is why in 1961 some regions died out completely because of famine. This is a unitary Government and it is felt that this Government knows enough psychology for us again. Therefore, I want the Minister for Finance to allocate or at least make provision in his Estimates in order that we can have enough money to run our country and to develop it very quickly so that we can take another step forward towards a Federation of East Africa.

Mr. Masinde: Mr. Speaker, Sir, I think it is necessary that this House should appreciate the need of looking at the country as a whole and not looking at Nairobi as if it were the whole of Kenya. We have had local governments for quite some time and we know how good they were. We have developed this country with three local governments and we did very well, that is in Nairobi, Mombasa and either Kisumu or Nakuru. Now, with this experience we know very well that if the Minister would concentrate through local governments the development of this country will not all be on one side. They had no development in the past and since they now have their own regions it is now up to this Government to approve some money so that the Government of these areas can develop their regions properly. Most of the people have the same interest and they can help their brothers around Nairobi or Kitui if money is voted for their own region.

It is important also, Mr. Speaker, to note that when the Minister planned his Budget he overlooked one fact which is that he should have more money for these areas. Not having done this you will find Kenya getting more and more divided. If we want to bring the people together we have to spread our programme of development all over the country and not keep them all in one

[Mr. Masinde]

place. The place which the Government is trying to cultivate is an area inhabited by a particular tribe and this is a need which will spread all over the country, throughout the country.

Mr. Speaker, Sir, it has been said in the past that the Minister intended to expand the Settlement Schemes. You will find that giving a person one acre of land is not going to give him anything to live on at all. We have a large number of people who want more than one acre of land and so they have handed back this land and they have gone to search out employment. We have to develop some of the areas which do not have water. We need money to use for lands and for some of these areas which do not have water.

Mr. Kamau: Mr. Speaker, Sir, I must say that the Leader of the Opposition has completely misled his Party for one reason: that is, on the Constitution. I would request my colleagues of the Opposition to study the Constitution by itself instead of listening to their Leader who has now left the House. I would like to make some of my remarks in his presence, but this is not possible. In the Budget which we are discussing today I should like all my fellow Kenyans to know that in the Constitution we have nothing like *Majimbo* but we have one united Government and that Government will by all means be financed by the Central Government. You have all listened to the radio recently and heard the controversy being created by the Leader of the Opposition. They are celebrating *Majimbo* coming into being, and that kind of statement, Sir, I think is going to cause—

An hon. Member: On a point of order, Mr. Speaker, Sir, I wish to tell the hon. Member that in his own constituency they have already chosen their Regional representatives.

The Speaker (Mr. Slade): Hon. Members must learn to distinguish between what is a point of order and what is a point of information or explanation. Now, it is only for a true point of order that hon. Members have the right to interrupt. They can interrupt on a point of explanation, such as, the hon. Member made just now, with the consent of the hon. Member on his feet. A point of order is only a point concerned with the procedure of this House or the conduct of hon. Members. Anything else is a point of explanation or a point of information which, as I say, can only be brought in by interruption if the hon. Member speaking agrees to give way.

Mr. Kamau: Mr. Speaker, Sir, even previously those Members who are present now but have

not been in the House have followed closely, either through the Press or other sources, the procedure of this House and I would remark that most of the remarks made by the Leader of the Opposition were very unjustifiable. Most of the complications we are facing in Kenya today are his own fault. It is him who created the Constitution today which is so complicated. Had it been that he was following the wishes of all Kenyans we today would have our own self-Government, but instead, although I am not maintaining that he or his Party are trying to use tactics to delay independence, I think this is a very serious time when every Member of this House should first of all be considering the well-being of his country instead of causing the delay of our Independence even a day later. We should be considering how both sides of the House can bury the date of independence so that we can stand on our own feet and have economic stability. As I have seen it today I would say that the Leader of the Opposition has arranged to accuse my Government of which my hon. friends and Members here are part. This is the proper Government which is planning the development of Kenya as a whole and I would request you all, my hon. friends, to study the Constitution and you will find that there is no clause whatsoever which gives power to any region to do anything other than that which it is ordered to do by the Central Government. Therefore, Mr. Speaker, when we are talking of the Budget I would request all hon. Members to refrain from any other motives whatsoever and to stick to the truth and they will find that the hon. Member, the Minister for Finance, has done his best to frame the financial position. Mr. Speaker, Sir, I beg to support.

Mr. Kioko: Mr. Speaker, Sir, the Government is more responsible for the regions because it has its representatives there. I should like to put it to my hon. friends that we have regions and they are there and the regions are the responsibility of the Government as well as is the development. Most of the Government side when they have spoken have been criticizing the Opposition, and saying that they are responsible for the regions. That is not quite true. I understand that today we are our own Government which means an African Government. It is the Government from which we in Kenya, and every other African, expect to get more. At the moment all that they have been concentrating on is criticizing the Opposition. I would say that today we have a Government in terms of an African Government and we are soon going to have our Independence—about which I am very pleased—

[Mr. Kikoko]

but there is another job ahead which I would like to mention to the Government which will be responsible, and most important of all to the Minister for Finance. I want to know when I am going to get my own economic independence? I know I could turn round in say six months or may be a year and say I have my political independence, but when am I going to be able to say that I have my economic independence? After checking very carefully, there are some Ministries which have been created which I would say are quite unreasonable. Such Ministries as the Ministry of Local Government I would say should be removed and replaced by a Ministry of Community and Co-operative Development such as they have in Tanganyika, so that we could develop our country. We would like to develop our country, and we are expecting to get these developments from the Government we have now. I am sorry that I had to speak about these developments, but I would suggest that instead of having this Ministry of Local Government which is quite useless, that we have a Ministry of Co-operatives and Special Services being created so as to develop the country and then I will see the light about having my own independence which I am crying for. This is a very important thing that I am referring to. And I hope that we in the Opposition and those of the Government will work together for the development of the country.

Another point I would like to mention is about the Constitution, which has been spoken of so many times. I, in particular, am not very involved in it, but as a constituent of my country I accept it. I do not see why my friends, the hon. Members in the Government side are worrying about this Constitution, which has already been agreed. We are different but I say that we work together and develop our country so as to get the economical independence at this time. Thank you.

* The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I agree with the hon. Member for Lurambi that this Government should have looked more to development. But this Government also faces a problem which has been created by the regional policy, which is how age we going to allocate the finances to these underdeveloped areas. We do not know places are thinking. So, Mr. Speaker, I thank the hon. Member for Lurambi has failed to get it through to us that his party, the Opposition that is, should have put to us clearly that they wish us here to look at those parts which are not fully

developed and the Minister for Finance would have had them in mind when he was making this. I am sure the Minister had difficulty in arranging. Mr. Deputy Speaker, or probably looking at the underdeveloped parts and I am sure that the Member for Lurambi and I am sure with me that he was referring particularly to this region from which I also come. The difficulty that we have in the Government is, are we going to consider places which are not fully developed under the Central Government or are they to be considered by the regional authorities? If we are going to consider them as the problem of the Central Government then the regional authorities will have nothing to consider. We have to consider them from the Central Government and that is the policy of the party which is now in the Government. That is a regional authorities will have nothing to contradict of regionalism.

Another point that I would like to mention, Mr. Deputy Speaker, is the Front Bench here which was referred to by the Leader of the Opposition. I am sure this Government does not want to leave any stone unturned and we are prepared to have as many Ministers as possible. If it means that we want to get out colonialism and these Ministers are going to get down to the roots of every quarter in the country and study and learn the position of this country, scrutinize very closely, and it is no use trying to hide and comparing us to other countries. It is our policy, the policy of the Government side that are going to sit down and try to uproot colonialism which might have been hidden and might have been overlooked by the Opposition if they were in our places. So, Deputy Speaker, the allegation that our Front Bench is very large does not pay.

We have been elected here by the taxpayers, Mr. Deputy Speaker, and we are very much aware that anything we do here might be criticized by the taxpayers. Now, on whom do we put the blame, the taxpayers know very well and we put it very clearly to them during the election period that they are going to be taxed very heavily, and this taxation is going to come because of *Majimbo*. I think the taxpayers are aware that if the *Majimbo* policy is completely torn apart and if we have that power, which I hope we might have sooner or later to tear *Majimbo* policy, I am sure that the taxpayers are going to be happy.

Mr. Deputy Speaker, the Leader of the Opposition talks very much on economic planning in the regions. I think he has forgotten one thing.

[The Parliamentary Secretary for Agriculture and Animal Husbandry]

Mr. Deputy Speaker, that is, when he spoke of *Majimbo* he did not see the outcome of it, and he is now seeing it from this Budget, and I am sure he is going home today to his constituency, and explain to them that this *Majimbo* policy will not work at all. This is the thing they forgot, when they wanted votes from the voters and they are accusing us on this side for having made the taxes while forgetting that there are great expenses because of the policy arranged by these people, policies we on this side, want to do away with. Mr. Deputy Speaker, Sir, I would like to mention something about the policy of my party as regards education. We promised our electors that as soon as we did away with regionalism we would be able to see the Budget and see how we could organize a special system in Kenya. Now education comes under the Regional Authorities and it is not possible for this Government unless the Constitution is changed to do otherwise. We have to leave it to the regions, but the time will come when we do away with the regional policy and fulfil the promises we made to our constituents. And I am putting it very clearly here, Mr. Deputy Speaker, to the Members opposite, that our promises will be kept so long as the *Majimbo* Constitution is completely destroyed.

I am sure that the Opposition will change their minds now that they have seen that the taxpayers will be heavily taxed because of the mistakes they have made. These were probably engineered by some other people, Mr. Deputy Speaker, Sir, not knowing exactly what would come of it. I am sure they know it now, and will probably give up their policy, the *Majimbo* policy.

We are sure, Mr. Deputy Speaker, Sir, that the people who elected us are very much aware that these things are completely debarring us from fulfilling our promises, and they know that if *Majimbo* went and the Government became centralized, they would get all the promises. With these few remarks I beg to sit down.

The Deputy Speaker (Mr. Do Souza): You still have five minutes.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Thank you, Mr. Deputy Speaker.

I am going to put one thing across. We have been told by several speakers from the opposite side that we on the Government side are probably milking the taxpayers to help the forming up of this Government. I think this allegation is very wrong and I would like the people who elected

us here to know very well that *Majimbo* is the cause of all this. And, Mr. Deputy Speaker, before I sit down I would like to thank the Minister for Finance for all he did to implement the Budget which I think has been complimented by many who are not in this House. And with these few remarks I beg to sit.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Deputy Speaker, Sir, I wish to begin by congratulating five new speakers who have already taken part in the debate. Their speeches show a vigorous interest in public affairs and I hope that this will continue. When I started as a Member of this Council we had our own ideas of what a first speech should be like, but the change that we have seen today is, I think, all for the better. It shows that the Members now start to take very active and very vigorous interest in public affairs from the first day of their membership.

Now, Sir, it is understandable that they have all referred to Regionalism or *Majimbo*. The new Members were not present at the discussions which took place and they do not know the difficulties that we had to face and to which sometimes we had to succumb. But now that they are here they will know these things because they will hear the speeches of Members on the Opposition Benches and they will come to know what types of arguments they have themselves seen. Now, Sir, the hon. Members have referred to the increasing amount of the Budget and some Members have told us, quite rightly, that the main reason for this increase is the system of regions, which our Constitution includes.

However, it is a pity that all speakers do not seem to appreciate that obvious fact. The hon. Leader of the Opposition started by accusing the Government of lack of initiative in solving the problem of unemployment. Of course, he was entitled to do that. After all, what is the justification for an Opposition Party if they cannot accuse a Government which has been in Office for only fifteen days, of not solving the problem of unemployment of the world for decades and a problem which all the countries have found difficult, if not impossible, to solve! But we should also remember, Sir, that the hon. speaker was himself connected with a Government. For about a year, he was the principal Minister in that Government. For one year he was one of the two principal Ministers. He has not told us and he did not tell us before what remedies he has for the problem of unemployment. It would have been better if he had given us one constructive idea on this problem, but he apparently believes that the

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Opposition exists for the mere sake of opposition and his speech this afternoon proved that, because he has done nothing more than opposing the Government on one point or another. There was, however, one thing which I found a little difficult to understand, coming as it did from a person of the hon. Mr. Ngala's standing in public life. He was told that the Development Programme that we have before this hon. House now is a one-year programme; this is quite right. We have a three-year plan which is finishing at the end of this month, so that the next programme is for one year, but he was telling us that we had a three-year programme of which two years have gone by and the ensuing year is the third year. I do not think that is so although I was never a Minister myself.

Now he complains, Mr. Deputy Speaker, of various increases in this sort of tax and he knew, he said so, that this was based on the recommendations of the Fiscal Commission. But he said that the Commission was not the Government of the country. Now here Sir, we must remember two facts. One is that the Fiscal Commission originated from the idea—

Mr. Alexander: Thank you, Mr. Deputy Speaker, I am grateful to the hon. Member for giving way, but just to get this perfectly correct on a point of explanation. The development estimates, right at the very beginning, the General Memorandum note says, and I quote, "The development estimates for 1963/64 represent an extension and consolidation of the 1960/63 Development Plan".

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): I am grateful to the hon. Member, that is exactly what I have in mind. We have a three-year plan which is finishing at the end of this month and we are extending that three-year plan by one year. That is what that note means as far as I can understand.

Now Sir, I said just now that the Fiscal Commission was necessary because of the coming of regions. The main purpose, not the only purpose, was to say how revenue and burdens should be divided between the regions and the Central Government. If we had no regions, no Fiscal Commission would be necessary, at least not this Fiscal Commission. This Fiscal Commission followed the adoption of a Regional Constitution by this country. If any blame attaches to the Government for following the recommendation of that Commission, then the Opposition at least

must share that blame and take 90 per cent of that. They can give us 10 per cent for our weakness in accepting whatever regional system we have accepted.

The second point Sir, under this head is, that the Fiscal Commission's Report came while the last Government, the Government that has just ended, was in power. The hon. Leader of Opposition was a prominent member of that Government. It was that Government that considered the Fiscal Commission Report. It was that Government that accepted the recommendations of the Fiscal Commission's Report and it was that Government that put the provision of the Fiscal Commission's Report into the Constitution. Does it rest with the Leader of the Opposition today to criticize the Government for following the recommendations of that Commission? Then, Sir, he raised the question of school fees. No one likes it, I am sure, no present Minister likes the idea of raising school fees. We know that it will hit the parents, especially the poorer parents, but what was the alternative? Was it not something recommended by the Fiscal Commission and the recommendations of the Fiscal Commission are now to be implemented. Is not the hon. Leader of the Opposition responsible, at least to some extent, for that? Now he complains, Sir, that our party had promised free education. Instead of giving free education we are now raising school fees. That is a good argument for a platform different from this one, because here the hon. Members know the facts and they are sensible. This country is, from the point of view of the present system of Government, barely sixty years old. Now, during these fifty years we have not been able to provide education for all the school children, even on payment of school fees. Now how does he expect a new Government which is presenting a Budget (which was completed more or less as he told us, while the hon. Leader of the Opposition was still in Office) to introduce free education for all the children of the country? If the teachers could live on air and the schools did not need stones, steel and iron to build, then of course free education could have been introduced in fourteen days! However, I cannot see any other way of building all the schools that we need, providing all the teachers that this country needs, in this period of fourteen days.

Now he will probably say, and it has been said by other people, "Then why make promises when you cannot fulfil them". But, it was never stated that would be fulfilled in the year 1963/64. All that reasonable men understood from the promise

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was that free primary education is the aim in this country; and what is unreasonable about that? In older countries they made similar promises; and have not these older countries carried out those promises? In time this country will also be started with free primary education. We are not going back on the election promises that we made, but we expect the Opposition, at least the hon. Leader, to be a little more realistic, a little more reasonable.

Then, Sir, he complained that the local authorities would have to raise taxes and that they would probably have to levy a personal tax. Personal tax is one of the recommendations made by the Fiscal Commission, a Commission whose report the Government, of which the hon. Leader was a Minister, accepted. Now, how can he or anybody else blame the present Government for accepting this recommendation? It was agreed that the local authorities can impose a personal tax, because that was the recommendation of the Fiscal Commission and that recommendation we must remember, had reasons behind it. It is not necessary for us to say that those reasons were such as every person can and will accept, but those reasons were that there is a trend in Fiscal Policy which had been followed in other countries. In West Africa, for example, the local authorities have relied more and more on this type of tax. Uganda and Tanganyika have already introduced a tax of that type. Now how can you expect that Kenya should not adopt this measure?

Now Sir, he also complains that the Government holds all the money at the centre for the payment of Ministers' and Parliamentary Secretaries; instead of doing that he suggested that the money that is paid to Ministers and Parliamentary Secretaries should be distributed to regions or local areas and used there. Now, Sir, I should have thought that he would look at the regions first, because that is his own party's innovation. The Central Government cannot be run without money. All we wanted was strong Central Government and the Constitution has given the country a strong Central Government. A strong Central Government does not mean a Government run by honorary Ministers and Parliamentary Secretaries.

Now, Sir, look at the picture of the regions from the point of view of administration. Up to now, these areas were what we called provinces, and were run by Provincial Commissioners assisted by District Commissioners. Now the Provincial Commissioners have become the civil secretaries, so that we still have one senior civil

servant of the rank of Provincial Commissioner and we still have the District Commissioners although we have given them a new designation; so that the expense that was incurred in those areas is still incurred. In addition to that, regionalism has imposed a Regional Assembly. We do not know what the Members of the Regional Assembly are going to be paid, or whether they are going to be paid anything. However, we know that these assemblies will have a President. We do not know what salary the President will be paid, because the Provincial Commissioner who ran the area under the old Government system is still there, because the District Commissioners who assisted the Provincial Commissioners are still there, so that there is no real need to pay the President any salary. However, there are various rumours that the Presidents will give themselves salaries. Be that as it may, we know from news reports that the hon. Leader of the Opposition, who is the President of one of the regions, has taken possession of the car of the Provincial Commissioner and has taken possession of the house of the Provincial Commissioner.

Now, Sir, it is hardly for the Leader of the Opposition to say that the Central Government is more expensive. We have been telling him, and telling his party all the time, that regionalism is going to be expensive. It is going to cost the country a lot of money. Of course, in addition, that it was unreasonable from the point of view of principle. It was not needed in small countries, but nevertheless it has come, but is it necessary to us? This Government is not increasing the expense of the regions. This Government is not asking the President of the regional assemblies to take over the cars of the Provincial Commissioners, (their Humber cars) and take over the houses of the Provincial Commissioners, they are doing it themselves.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

I am sorry, Sir, I should have claimed the right to speak longer.

At least two speakers from the Opposition have suggested that the Government should provide more money for some county councils and for some areas that have not been as well developed, as others. Here, again, we must bear in mind that the institution of the regions has been brought about with the insistence of the Opposition. The Constitution gives the regions and the local government bodies of the country certain sources of revenue. Those sources are guaranteed to

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them by the Constitution. Why should they not be satisfied with that money? I believe that they will get more money than they will need and I would not be surprised if, when the next review of the allocation of revenue takes place in three or four years' time, it is decided that the regions do not need that money and that some of it should be given to the Central Government.

It is no new problem to Kenya that some areas are less developed than the others. We, on this side of the House, have always been aware that this is inevitable under a certain system of government, such as the government under which we have been working in the past. The proper thing to do in the future is to give the Central Government the fullest authority to raise money for development and to allocate it according to the needs of the area. But, the Opposition did not want to trust not only this Government but any government in the future. They wanted everything laid down in the Constitution, they wanted it made perfectly clear that they would have all the sources of revenue that they might need in any eventuality. Now they have got it. As I say, in other countries where they have a similar system of government (India for example) their revenues are allocated according to the needs of the area. There are Government Commissions which consider these points from time to time and decide on reallocation of the revenues. Here, the Opposition have insisted that we must follow a rigid allocation of revenue. The regional system is now given to the Opposition in the Constitution.

But in any case in so far as it lies in the powers of the Government, it will do justice to the poorer areas. Major economic development is within the jurisdiction of the Central Government. They can get money from sources overseas, for development finance, but it is especially within the minds of the Central Government. I know the minds of the Ministers of the Government and I am convinced that they will distribute that money to the various parts of the country according to the needs of those various parts, and no Government has been given reasonable time to function and to study the needs of the areas.

Sir, we have heard that in the view of the Opposition there are too many Ministers and too many Parliamentary Secretaries. We have been referred to Tanganyika, we have been referred to Great Britain. We must remember two things. One is that a Constitution entrusts the power of appointing Ministers to some person or some

institution. Our Constitution is the joint work of all of us and it gives power of appointment. When that power is exercised you cannot complain. The second point is, you cannot compare two countries from the point of view of numbers of Ministers, because if you are to look at the size of the country and the wealth of the country you would probably have to give 1,000 Ministers to the United States. However, the United States has just as many Ministers as is normal in a small country. The reason for this is that there are certain subjects which are to be handled by Ministers and those subjects are the same in all countries of the world, whether they are small countries or big countries, whether they are rich countries or poor countries.

This hon. Member particularly referred to certain Ministers. He said, for example, there was no need for a Minister for Local Government. But local governments do exist and various coordinating arrangements will still have to be made. Laws, Ordinances on various things, model regulations will still have to be studied and drafted and the local government bodies in various parts of the country will still have to be assisted with special advice. This cannot be given by small bodies like the regional assemblies.

He also complained of the introduction of the Ministry for Pan-African Affairs. We have here an Assembly which consists largely of African Members. Pan-Africanism is a word which is thought to be the most popular used for a number of years and some of the Members of this House themselves have played an important part in this movement of Pan-Africanism. Therefore, the question is whether this idea of Pan-Africanism is right or wrong. If it is right then why complain of the introduction of the new Ministry for Pan-African Affairs. Is it so absolutely necessary that such affairs should be handled by a private organization and not by a Government Ministry? I know of another African country which has created a Bureau of Pan-African Affairs, and if they can have this bureau why cannot Kenya appoint a Minister in charge of Pan-African affairs? In any case I put it to this House that if the hon. Members agree with the idea of Pan-Africanism they must also accept the need to do something substantial to implement that idea of Pan-Africanism. Why should we leave it to a private body, why should we have Government—a Government which is a government of an African country in the heart of Africa—deal with it?

Again, the hon. Leader of the Opposition asked what the Government was doing to reduce the

[The Parliamentary Secretary to the Prime Minister's Office]

salaries of Ministers and Parliamentary Secretaries. I am not suggesting that their salaries should not be reduced for I am sure that the time will come when they will be reduced because that is the trend all over Africa and Asia. Somebody has to begin and somebody has to begin sometime. They could have done so when they were over here. Why was it left to this Government to reduce the Ministers' salaries? Why did not the Leader of the Opposition suggest last year or the year before that Ministers' salaries should be reduced, although several Members on this side of the House, when they were on that side, gave that idea. I know that this matter has been discussed for some time and the need for reduction is felt. The Ministerial salaries, however, are related to a certain state of affairs and unless you make alterations in that state of affairs it would be unfair to reduce the salaries of one small section of the population.

Another point which was discussed was in relation to Parliamentary Secretaries. Sir, here there is a lot of misunderstanding in the minds of some people because the letters of appointment issued to Parliamentary Secretaries are not published in the Press and copies of them are not given to hon. Members of this House. Parliamentary Secretaries are not expected, as Ministers are, to give their whole time to Government business. They are entitled to continue to look after their own private businesses, occupations and professions. These are the terms on which Parliamentary Secretaries are appointed in this country and I believe in other countries also. Therefore, if you sometimes go into a Ministry and find the Parliamentary Secretary is not in, it is quite likely that he has taken an hour or half an hour off to look after his private office in town, or to attend court to conduct a court case or to do the accounts of some client. In any case from my own personal experience I am satisfied that Parliamentary Secretaries are now doing much more regular work than they ever did in the last Government.

With these words, Sir, I beg to support.

Mr. Somoi: Mr. Speaker, Sir, I would like to speak with regard to education. The people of Lamu district are very backward with their education. It is surprising to see that for the whole of the Lamu district there are only four primary schools and those four primary schools are not sufficient at all. It is a duty of the Government of Kenya to see that every village within the Lamu area is provided with a primary school. We can have a principal in these schools who can stay

there from seven to eight years as an acting principal, but soon he comes back to headquarters in Mombasa he is then the same as a teacher and I do not think this is right. You see the principal in the primary school once he comes back to the headquarters in Mombasa, he should continue as a principal not as a teacher.

For the whole of the Lamu district there are only four clinics, there is only one hospital in the Lamu town. And this hospital is not sufficient for the people of Lamu. It is the duty of the Government to enlarge the hospital and to make more rooms for the patients to be accommodated in that hospital. Again when you look in the Kiunga area, there is only one clinic and there are about ten to fifteen villages, which are about ten to fifteen to thirty miles from the clinic. It is the duty of the Government again to arrange a vehicle to supply medicine to those villages where there is no clinic because you find always there are some people who are ill or suffering from disease and they find it very difficult to travel a long way right to the Kiunga area to obtain treatment there. In this case I appeal to the Government to build more clinics in those villages, or in other words to arrange a vehicle to go to every area to supply medicine. Also regarding mangrove poles—

An hon. Member: On a point of order, Mr. Speaker, Sir, is the hon. Member aware that what he is speaking about should be the duty of the regional government to carry out?

The Speaker (Mr. Slade): That is not a point of order. (Disturbance.) You will sit down while I am speaking. That is a point of debate or information on which an hon. Member is quite entitled to speak, but he must not interrupt except on a true point of order, which, as I said earlier this afternoon, is a point of procedure or conduct.

Mr. Somoi: Also about the mangrove poles. It is the duty for the Forest Department not to prevent people from cutting mangrove poles in certain areas, it should be open to all areas. This is really unfair as they are open for only a fortnight and they are closed for a year. Thank you.

Mr. Gatungu: I would like to support the Motion as laid out by the Finance Minister. It is the most logical financial statement that any Minister for a country like this one could give. And it is most surprising to find that the Opposition has forgotten its role of constructive criticism and instead of bringing out ideas and helping us to build a new nation they are criticizing for the sake of criticism. We have heard a speech from the last hon. Member telling us to build schools

[Mr. Gatuguta]

in certain areas of this country, in Lamu, establishing hospitals, whereas the same hon. Member belongs to the party which has made it impossible for a Central Government to deal with this subject. He is probably not aware of the fact that education and hospitals are the business of the regions. He should go back to the Regional Assembly and try and find the money for building these institutions. Of course, in the Government, we will not be able to establish schools, will not be able to establish medical services sufficient to suit the needs of the people and that is why we are determined to see that regionalism is banished as soon as possible, so that we can serve the people. There was the question of free education raised by the Leader of the Opposition a few minutes ago. Really anybody who wants to be constructive must realize that no Government can provide free education to a country like Kenya within 15 days. We have been in power for 15 days only but it is our intention to provide free education to our people and we are going to do it, there will be no question about it, provided the Opposition do not get in our way. Medical services, same thing applies. We in the Government would like to keep our promises to the people and we would like the Opposition to help us in this. If their role is merely to obstruct the Government I must warn here that the Government might reconsider the position of the Opposition in this House. We have listened to statements made by some Members of the Opposition to the effect that regions are governments, they are not. When you make a statement that a region is a government which has got certain powers and then you come back later to say that a Central Government has not given money to this region, it is a contradiction because Governments are not required to give money to another Government unless it is a loan.

So, Mr. Speaker, Sir, I would like my Opposition Members to be more constructive and to help us in building this nation. We have heard remarks about Ministers, we have been told that they have created Ministers and new jobs but, Mr. Speaker, I think I am right in saying that the number of Ministers we are having today are the same number of Ministers we had in the Coalition Government and we have not added one of the big Ministers in those days and he did not even attempt to introduce the question of reducing the number of Ministers. We have allocated the Ministries because of necessity not because we want many Ministers. We want jobs

to be done and we want different jobs to be done by different people so that they can be done quickly not because we want many Ministers, and it is in fact irrelevant to raise this question. On African Affairs for instance we are told the Minister for Pan African Affairs is no job, but he has. The speaker was trying to ask us to differentiate between Pan African Affairs and Foreign Affairs. He ought to understand that there is a lot of difference. Our whole relationship with African countries is quite different from the relationship of this country and foreign countries, because we want to establish a special type of relationship with African countries. And this special type of relationship might be undertaken by a special Ministry, whereas Foreign Affairs is a bigger term which embraces all the countries of the world and this can be looked after by another Ministry. The Ministry of Local Government and Regional Affairs. We are told that he has no duty and that he has been appointed for nothing. This is not true. Although the Constitution provides at the moment that there will be various subjects under the regional authorities and others by the Central Government we do know that in the near future the Minister for Local Government and Regional Affairs will have the control of local authorities because the regions will have been abolished. And in fact it is his job now to try and see the best way of amending the Constitution in such a way that the regions do not continue to exist. You have already admitted that you have a suspicion of despair, which is true. It is not our House have explained this. But the regional system is so expensive that the Government had to find out other ways of getting money to finance this country, that is why there is taxation now. We have to get money to pay the Members of the Regional Assembly. We have to get money to pay the Presidents of the Regional Assembly, who I think is going to get a lot of money in terms of allowances and so on. It is a pity we have to spend money in that way when we could have been spending this money by education, hospitals and some other things.

There is the question of unemployment also in this country. There as you might have seen it is the Government's intention to reduce unemployment in this country and in the Budget you will find that some of protective measures have been brought about to encourage new industries in this country and the sooner the new industries are established the better because people will be employed in those industries and that is one of the ways of reducing unemployment. And that is

[Mr. Gatuguta]

why you will find foreign materials are taxed so that we can encourage the building of industries in our country and so reduce unemployment.

And so, Mr. Speaker, Sir, I would like to appeal to the Opposition Members to be more constructive, more realistic and far sighted to give the best and try to bring us suggestions to help us rather than mere criticism, and so not only help us but the country as a whole.

Mr. Muruli: Mr. Speaker, Sir, while I did not underrate the efforts made by the Minister for Finance. I have got some comments to make about it. In the first instance it looks as if very little effort has been made to breach the gap between the poor and the rich. You find that we have Government Ministers with a very high salary, the poor people, the taxpayers, have never just been thought of. The Minister did not consider increasing taxes on, for example, beer, cigarettes and such other things, but I feel that he ought to have increased the taxes on beer because we have many people in this country who began drinking and they have a lot of money, and these people should be taxed. I feel that by taxing beer it will discourage the use of it, that is one thing.

At the same time it would increase the Government revenue. I did not see a very good reason for not increasing the tax on beer. I think the Government should think about that.

Now, we talk of investments and we talk of people approaching different people to invest their money in this country, and that is good, but the investors want to see a stable Government. They are actually interested in investing their money in a stable country. Investors, both abroad and in this country, will read Kenya's Constitution, and they will have studied it. Now the Government, especially some of the Ministers, are not saying that they are not going to respect the Constitution, and the investors are not going to invest their money in a country where the Government is mentally afraid and is not stable.

An hon. Member: On a point of order, are hon. Members allowed to read their speeches?

The Speaker (Mr. Slade): There is a rule that Members must not read their speeches, although this it not strictly applied to Ministers when they have complicated matters to deal with. This also may not be applied too strictly to an hon. Member who is making his Maiden Speech, so long as he is not reading all of it. I did not get the impression that the hon. Member was reading his speech.

Mr. Muruli: Mr. Speaker, Sir, I have not been reading my speech. If I have I think my stomach

must have been reading my speech, not my eyes, and we read with our eyes, I think.

Now, I was talking about investors in this country. The Government should show a lead in respecting the Constitution, and if the Ministers of the Government talk about barring regionalism and so on, it is going to scare away capital and investors, you will find that they will not bring their money here, because they are sure that the Government is a bit afraid.

An hon. Member: Of what?

Mr. Muruli: I do not know, that is the question. What is the Government afraid of? The Government is afraid of something.

An hon. Member: The Opposition.

Mr. Muruli: We would like to see that fear removed.

Now, regarding agriculture. We have seen that we need loans for farmers. Farmers do need loans, and looking at the figures I find that the money which is to be given to farmers is less than the money that will be used to keep the Central Police Force going. If you examine all this, you will find that if you give a lot of money to the Central Police Force, and very little money as loans to farmers, then how is this country going to benefit? How are the farmers going to run their farms? Why keep a lot of money for the Central Police Force, and very little money for farmers? I feel that the Government should review those loans, and increase the loans, so that the farmers will have sufficient money to carry out their work.

I think, the question of unemployment has been touched upon, and at the same time taxes have been increased, and one of the reasons is because there is an increase in the prison population. The population of the prisons has increased. The Government has not told us how it is going to reduce the prison population, or it is going just to watch a lot of money, whenever the population increases, be filtered away. Will they continue to increase the taxes just because of this? We must go into detail and find out why there is an increase in the prison population, and we should not just be prepared to allot a lot of money for that cause. We must stamp out the trouble. I feel that we need to think about that, and ask the Government to issue its policy regarding cash crops as quickly as possible. Cash crops, tea and coffee, are the crops that bring a lot of money to this country, and we are told that a definite policy has not been issued. It is high time the Government issued its policy on these crops so that the farmers in the countryside are able to work hard without doubts regarding the sale of their crops.

[Mr. Marull]

Mr. Speaker, Sir, I have that to say today. Thank you very much.

Mr. Ngala-Abok: Mr. Speaker, Sir, I would like to congratulate the Minister for Finance on his reasonable and well-balanced financial statement. It is unreasonable for the Opposition to raise various questions on this matter which they themselves failed to manage or to fulfill. Recently we have had two Governments formed, and the Leader of the Opposition was in one of the two Governments, and he was playing a leading part. During that time areas like Masai and some parts of Nyanza, as he has said, have been dry and neglected. He knew about this and did nothing. The first Government which was formed by him was a minority Government, and it was during the time stated, that that Government was going to help all these things. In fact, during its stay in office, it did nothing, just merely complicated our chances of getting a quick Constitution. He will bear out in this, that he has been in the Government, and he knows the difficulties that are involved. Kano Government has been in power for only 14 days, and I wonder what any Government can do in 14 days' time. The Budget Statement was to be made within 14 days after the Kano Government was in power, and in fact, the Leader of the Opposition said at the beginning, that he congratulated the Minister, and most of those statements were made during the time he is in the Coalition Government. In other words, he would only have said that he liked the statement and he had nothing to criticize. However, because he merely wanted to oppose he just stood and said he opposed.

Mr. Speaker, Sir, he should realize the difficulties that are involved with regard to unemployment, which he spoke about. He said that the Government had not created employment, or any means of employment, in the Budget, or any has now taken several posts. He is now the President of the Regional Assembly based on the Coast, and he has not left employment for any of these. He is already employed as a Member of this House. In fact that is one way of blocking employment for other people. We want the Leader of the Opposition to set an example so that we know that he realizes the difficulties his neighbours are experiencing. Only yesterday he declared a holiday for the people, and yet we ever, he insisted that the Constitution gave him that power. In fact, that is not the question.

Now, as regards free education, we have just sat here for a few days and he knows very well that

most of these things are now within the regional powers. Now, how could we in fourteen days consider giving free education to the people without taking into account the various complicated problems which are confronting the country. At the same time we need immediate independence. Now, when we get this immediate independence we can assure my opposite hon. Member that we shall see what we can do within our powers to help fulfill the promise that we made. He is, however, trying to play certain tactics to postpone the achievement of independence. When we try to help ourselves we try and have a federation and we try and enhance our chances of getting quick constitutional changes for independence. He will complicate matters by saying that federation should have one minister; I do not know what he means by saying this— one Prime Minister or one President—because he wants to delay things. That is why he complicates our position from time to time.

Now when we come to these health services that someone has just complained about, I know that he did not realize what he was talking about, he did not know that this was within the powers of regional authorities? I do not call them regional governments—because I do not want seven governments in one country, a small country like ours. Now, for myself, in fact I would like to put a motion to get rid of this constitution straight away. But I was waiting for one, my Nyanza Region and ask them to go back to services to the hospital staff and to give free services to the people in my area and build a hospital immediately at Homa Bay where we will help people who are suffering a great deal. I shall ask them, the regional authorities, Nyanza, to try and show me where money is going to be available to run all sorts of things that the constitution says the regional authorities are going to run and to show me immediately, how the regions on the Central Government could give free education within 14 days of being in the Government. I shall put that Motion in this House.

Another helpful point, Mr. Speaker, is that the Leader of the Opposition is now President of a Region and within his power as a President there are certain things he should do immediately to prove that each region is going to be not do that I will promise that, if he does to come it will be seen that regional government only minor small bodies that will be run by our Minister for Local Government and Regional

[Mr. Ngala-Abok]

Now, with regard to the Ministries that have been created. It has been agreed that the previous Government had several Ministries, and there were no complaints regarding this. They were paid more salaries than the ones already proposed for the present Ministers and everything was quiet and most of the Members on the Opposition were in that Government. The country was satisfied and felt that they were doing the best for the country. In fact, I do not see why the Opposition is complaining now because last time when the Opposition was trying to raise certain points concerning the deduction of Ministers' salaries, the abolition of Parliamentary Secretaries' posts, and the deduction of salaries of Permanent Secretaries, there were no complaints from my friend opposite that he felt this was unfair to the country. Nobody spoke of creating employment for the ordinary man who is left lying in the street with nothing being done for him. I would like to advise Members on the Opposition to help us push on with this African Government and help us have an immediate Constitution so that we can see what we can do. We do need the help of the Opposition, and I am sure that they will help us. Otherwise, these regional constitutions are a mere complication. Now, the thing is that if I want a hospital to be built, instead of going to one single Minister, talk to him as a Member of Parliament, finish matters, go to my region or area and then explain to the people that such and such a thing is going to be done by the Government, Mr. Speaker, the Minister will tell me that this matter has nothing to do with me, please go to your region and see the committee concerned with this. When I go to a committee for that Ministry I will be told that my friend we met two weeks ago will not be meeting for for another two or five months. I will not like to be kicked like a football, from Minister, to regional body, regional body to authority, and other complicated bodies that will not help. Whatever they say opposite, we are the Government, and we are going to do away with this Constitution. However, the only thing that can save the Members on the Opposite side is to co-operate. They have received votes from their party, and they are now forming an Opposition. We welcome them to oppose the Government constructively, but not in the manner that the Leader of the Opposition knows very well that he himself has failed in the last two Governments and that he himself played a leading part. Now he is criticizing the Government just to keep his party running. So long as we are in

the Government you are within our power and we can dispense with you immediately. This is not a threat, because we have accepted you to sit on the other side, but we do need very reasonable criticism to any points raised.

Now, as regards the Minister for Pan-African Affairs, I know that the Opposition supports the unity of African countries, but this will not come about unless we have a Minister that can deal with the African countries and can deal with the unity of African states. This would need a special Ministry to deal with that so that we can unite and form the united states of Africa. However, this cannot come about when we have such important relationships with outside African countries, and we have no Minister to deal with such affairs and we expect to have unity and to have federation, and so on. This, my friends of course support, but they are ambiguous.

The Minister for External Affairs, you know, as well as I do, that it is within the Prime Minister's Office, and therefore there is no question of raising that, but even though these are included within one Ministry. Yet someone complained there are four Ministers. However, this has not been read clearly by Members opposite. In fact, it has been stated in the Press. If there has been a suggestion as to how they would have allocated certain jobs within those Ministries we could agree, however, no suggestion was made as to how these Ministries could have been allocated. This proves, in fact, that someone opposes this, but they have done nothing. It proves that someone opposes it, but has done nothing to improve it. When you are opposing something, constructive suggestions must be made and they will show that you are anxious to improve something. Not a single suggestion has been made as to how all these things that have been criticized—can be improved. In that case I think it was a waste of time opposing the Budget Speech and opposing the set-up of the Government.

Mr. Speaker, Sir, with those few remarks I beg to support the debate.

Mr. Omari: Mr. Speaker, Sir, I rise to congratulate the Minister for Finance for having introduced his Budget, however, I have some comments on some speakers' remarks, particularly with regard to regions. Some speakers in this House seem to have forgotten that some of their leaders are signatories of the Constitution. These Leaders who have signed the Constitution should bear in mind that regionalism in some parts of this country, is regarded as a

[Mr. Omar]

religion, and therefore it would be a mistake, in fact a blunder, to try and crush this original Constitution. Any speaker in this House, and even outside this House, when he says that he wants to crush the present Constitution, he merely means to create a tense situation in Kenya. Mr. Speaker, Sir, last week we were celebrating at the Coast when we appointed the Leader of the Opposition as the President of the Coast Region, and I would like one of you to have been there, because you would have seen thousands and thousands of people celebrating, and very happy in the uniform of Kudu.

You cannot say that we are going to crush the Constitution unless you have got machines and are able to kill all the people at the Coast.

Mr. Speaker, some speakers on the Government have said that Regionalism is very expensive. Regionalism is not very expensive. It is not in Basutoland, Nigeria or America, why should it be expensive here in Kenya? Let us put it into practice first and then we can say whether it is expensive or not. It is accepted by all the people, and once the thing has been accepted by people, whether it is expensive or not, does not matter.

Mr. Speaker, this Government, instead of dealing with day-to-day problems, should attack the Opposition because of their belief in regionalism. People in this country are starving. In particular, in my constituency there is acute unemployment. It is very acute indeed. People go for coffee, now the Government should have allocated a sum of money as unemployment relief to give to the people. Unless this is done quickly, Mr. Speaker, can assure the Government that we will have dissatisfaction amongst the people, particularly of Mombasa, and the blame will fall on the Government. Mr. Speaker, it is clear that the Government has not given the Coast Region or the Rift Valley Region sufficient money so they are unable to work and will have an excuse for demolishing them. The Government should know that this is not going to be successful at all. We will do everything possible in our power to see that these regions remain, and remain in this country.

Another thing, Mr. Speaker, is regarding the increase in school fees. It is most unfortunate that the Government has increased the school fees from Sh. 400 to Sh. 450 in the African secondary schools. Already, Mr. Speaker, some of the parents—particularly the African parents—find it very difficult to pay Sh. 400 for their boys and girls in the secondary schools. I feel that the Government has forgotten this and raised

the school fees. The Government should give further consideration to this matter, because if they do not do that they are going to lower the standard of the education amongst the Africans, and also it is going to discourage many parents not to send their children to secondary schools. I remember last year, Mr. Speaker, in the Shimo la Tewa secondary schools the school had to be closed before the end of term because there was insufficient money to buy food for the boys. I also know that some boys and girls in secondary schools had to leave because their parents could not pay Sh. 400 for school fees. How will it be possible for such people to pay Sh. 450? If you take, for instance, a person who just depends on a very small firm income about Sh. 1,000 a year or less, how can he or she afford to pay Sh. 450 a year for secondary school education? It is not a question of the region. It is not enacted by the Regional Assembly, it is enacted by the Central Government.

Mr. Speaker, I think now that we are embarking on independence, and we believe in Africanism as our colleagues say. Now the Ministers' salaries should be cut down to reasonable proportions. I should like this Government to follow the example of the Tanganyika Government. They reduced the salaries of Ministers from Sh. 7,000 to Sh. 3,500. I do not see why we should not do the same thing here. Another thing, Mr. Speaker, is the place they gained during the elections. People in the Coast were told, and were led to believe, that once Kenya came into power they would get free medical services. However, soon after the Government came into power people went to the dispensaries, to the clinics and hospitals, and found that the fees still had to be paid. If the Government is a realistic one, they should now just give free medical services. If they cannot do that they should resign right now.

Another thing is with regard to the appointment of the Leader of the Opposition as the President of the Coast Region. Mr. Speaker, I must say that this has been the desire of the Coast people themselves. They went him as their leader, and therefore it is entirely wrong for the Government in this House to think that the leader wanted to create a post for himself. He did not want it, it was the people who wanted it. If the Leader of the Opposition is chosen to lead the people, he must accept it.

With these remarks, Mr. Speaker, I beg to support.

Mr. Jahazil. Mr. Speaker, Sir, I would like to thank our Minister for Finance for having presented a very agreeable Budget, and I hope that

[Mr. Jahazil]

will show what the Kanu Government has in store for everybody in this country. It is surprising to see that most of our hon. Members on the opposite side do not understand what they are talking about. They are mixing many things with regionalism, and I think they need a refresher course in what regionalism really is, what it entails, morally and financially and all that. These gentlemen on the opposite side behave as if they are following one man who advises them what will happen, as if they themselves do not know what is going to happen. One thing is certain: most of the people on the opposite side come from the poorest areas in Kenya. The people who elected them have very high hopes in them, and they think that by coming here they will achieve a lot of things for them. The hon. Leader of the Opposition has talked about people living on mangoes, but he did not say which areas these people are from. They are from his own area. He has been advocating regionalism all the time, promising these people that when regionalism comes they will have solved their problems.

The streets will be paved with gold, money will grow on trees, and the rivers will flow with milk and everything will be heaven. But now what is happening? Regionalism has happened and we are told that people are living on mangoes and they have been living on famine relief for some time. Regionalism has come and we see somebody called Mr. President with a large Humber, living in a double-storey house, and yes, the change has come, but to who? To the President-alone? What about the people who are living on mangoes? They can say that at least they saw a change within the Region, their President has a big Humber and a big house, but what about them? They are living on the same old mangoes. They have mangoes today and tomorrow and the next day, and yet this gentleman here talks about regionalism. I think there is nothing behind it. I have at least not promised regionalism to my people. He has confused these people. Now we hear the hon. Member for Lamu crying that there are no hospitals and schools in Lamu, he is crying to this House that he wants more schools. Yes, but instead of celebrating their holiday for their President of the Coast Region he should have appreciated what he was celebrating. If you have the responsibility to declare holidays that is all right, but be careful what you are celebrating. But then when it comes to crying for schools why come to me, what is the use of declaring a holiday for schools if you are not in the position to provide the schools for which you have declared the holidays. After all—

these holidays, Mr. Speaker, if we think about them, are for the children and they are missing school, and yet there is a lack of education at the Coast. If a Government with all the powers of a Government as the Opposition would like to think, has nothing to declare but a holiday for schoolchildren where they are being poorly educated, is that something to be proud of? They should be ashamed of declaring holidays in educationally backward areas for the children just because the President wants to feel big.

Mr. Speaker, one thing must be made known. Under regionalism the poorest regions will become poorer and the richest regions will become richer. Now we hear complaints that the Minister has tricked us by saying that all local governments will have to raise taxes. Well, if you want the administration to be in the hands of the local people no one is in a better position to tax a local man than a local man himself. If the Government raised tax here for the people of Ukambani or for the people of the Coast or the people of Nyanza, of course they can be blamed under regionalism by the people saying that we cannot be taxed from far away. But now the Minister has left it to you. If you want big things, you will get big things if you can afford them, if you cannot afford them well regionalism tells you that if you can afford it you can have it, if you cannot afford it, you cannot have it. But, thank God, that is not the fault of the Government because this is a true African Government with a feeling right inside it about the suffering of our people, our people in Nyanza and all over Kenya, and even Africa. We are hungry, we are suffering, but we are lucky we are feeding on mangoes; others are not feeding on anything at all. So the Government is considering how we can relieve this suffering. If the people of Central Province have a lot to give we can tell them, well you have too much, you are over-fed, we are going to take some from you to give to the people who are feeding on mangoes. We must remember that we are now Africans living under an African Government. If you are asking for regionalism well you can take it, but you are asking for people to reject you because it is not what they want. They do not want to say "All right, we have regionalism, but we are going half-naked. We are feeding on nothing but mangoes, but other people somewhere in the Central Province, in Nyanza and in Elgon Nyanza are well paid, they are well fed, but we have nothing." They will not like it, that way; everybody wants to be prosperous. The reason that everybody wants Uthuru now is not that Uthuru is good for nothing, it is because those who have more than enough to help those who have not, and those

[Mr. Jahazi] who cannot afford a pair of shoes can wear a pair; those people who want to put on a tie can afford to do so; those people who are feeding can afford to eat at least have chicken once a week. At least there must be a difference between the Colonial days and the *Uhuru* days, but the Opposition are promising things which they can never give to their people. The people they are representing are the most backward tribes, but they must get together. This is Pan-Africanism, this is African socialism.

Well, those are the things we must face. Mr. Speaker, that under African socialism we must share our suffering and we must share our prosperity together. We must be happy together as a country, as a nation, and we must suffer together in time of difficulties. I was surprised when the Leader of the Opposition questioned the Minister of Pan-African Affairs, but now I have remembered that when during the election campaign, he was questioned by a certain member of the Press as to his stance on Pan-Africanism he said: "What is Pan-Africanism?" He replied that he did not know what it means, and so no wonder he criticizes the opposite side.

The Speaker (Mr. Slade): It is a point of order, Mr. Ngata?

Mr. Ngata: Yes, it is a point of order, Sir. I have not criticized Pan-Africanism.

Mr. Jahazi: Mr. Speaker, the hon. Member is lost completely. Even now he does not know what he is criticizing. I did not criticize the Ministry of Pan-African Affairs which he did. Does he now say that he did not criticize that Ministry? No, he does not. It is unfortunate that our friends on the opposite side have not devoted a single minute to the study of Pan-Africanism or to the advancement of Pan-Africanism in Kenya. That because now they can travel thousands and thousands of miles in Africa and if they are thirsty they will have to do a lot of talking before anyone will give them a glass of water because these people who do not appreciate Pan-Africanism have no friends in Africa. The Minister for Pan-African Affairs is charged, with bringing good relations between the countries of Africa, because we in Africa have been divided into Portuguese Africa, French Africa, British Africa, and we are living as if we are strange people, although we have the same tribal customs, the same colour, the same everything. Yet we are living far apart, there are these walls dividing us. So the Minister for Pan-African Affairs is charged with seeing that he clears all this Colonial thinking that was imposed on us and bringing good

understanding between the African States. In those lines of thinking *Majimbo* has no place, and the Opposition see that by following Pan-Africanism their *Majimbo* concept will melt or not, I do not know, but I think all Africans are Pan-Africanists, and the spirit of Pan-Africanism is moving in Africa and African hearts. I do not think we can regard *Majimbo* as having anything in common with Pan-Africanism. We shall overlook them and go ahead.

Therefore, Mr. Speaker, Sir, as it is my first speech in this House, I beg to support very strongly our Minister for Finance and to give him all encouragement to go ahead. Thank you.

Mr. arap Kamure: Mr. Speaker, Sir, I am rather astonished to hear what the Government says. As regards Regional Government, after a long discussion at Lancaster House it was agreed that it should stand here in Kenya; and that is a part of the Constitution, as in any other Government, such as the American Government, which had regionalism, and afterwards it was one of the recognized Governments of the world. I would think that this is a confusion between the Ministers in the Government I would also ask the Minister for Finance to allocate enough finance to the Regions and also to open schools now, especially in my constituency because I have only two Primary Schools in Baringo East. One is Maragat daily school and one is the Kenya daily school. These two schools are poorly financed and also poorly staffed, and I would think that if the Minister for Finance is now in the position to allow free education, then such schools should be increased, and also schools should be well established.

The Minister for Finance also should know that there are some places like Baringo District Secondary schools; we need more money we have not yet up to now got enough teachers, and there is not enough finance allocated by the Government. I would ask the Minister for Finance also to allocate enough money for schools and also to reduce salaries of Ministers so that we have more money in the Regions, because it seems as if up to now the Members on the Government side are looking to get money in the Regions.

I would also say that the Kenya Government is not the sort of Government to have Regions. There are other Governments, such as the American Government, which I have previously mentioned, where there is a system of regional Government, and up to this time it is still standing. Mr. Speaker, Sir, I wonder why we should

[Mr. arap Kamure]

be given examples from such places as Tanganyika and Uganda where the Kenya Government stands on its own name, which is Kenya; it cannot stand on Tanganyika nor Uganda. I do not see the reason why we should mix it and give examples of other countries. We should give examples of other countries with Regions and not countries without Regions.

The only way of establishing Kenya is through regions. It is wonderful, it is surprising that some of the Government Ministers are trying to send their Members to stand for the regions as President. When they are here they seem to try and attempt to say that they have no concern with regions. Supposing one of them is made a President for the region? I would ask whether somebody from the Government would offer that situation to one of our Opposition Members?

Now, in the Rift Valley Region, we are looking ahead to get a President and also the Government are looking ahead to get a President. Why should we have to hide that here? It should not be hidden actually, if it is a true Government. I heard the hon. Member say that the Government is 14 days old, it is too late. In fact one day ought to have achieved something towards free education to show as an example, or free treatment. How many people die in a day? Now let us compare for 14 days, 14 days is 14 years, I call it.

Also I would emphasize to the Government that they have now known that the swords from the Kenya Government comes from the regions and that is why they are crying. They want these regions to diminish, and then have the only Government, unitary Government, which is not going to protect each and everybody amongst the Members. When we go from here I am sure that everyone will go to this. And this is a region, a unitary Government. He will go to his house, and one house is an individual product, of a sort of life and that is in a region. When I go to my house it is my region. I am not going to one of my colleague's houses here.

Now I would also say that some other countries which are looking for prosperity for Kenya, are expecting regions to start. We are not expecting a unitary Government for a long time as a result of Lancaster House, and until this minute they insist on saying that it must be destroyed. It should be maintained if they want to live here in Kenya. That is all I should say.

In the regions the Government now should know that the sources of getting money so that the establishment will be more recognized in the

regions, should now be applied as soon as possible, rather than for them to say that it is only 14 days. Fourteen days is quite a long time. They should have done something at the beginning. Mr. Speaker, Sir, this is my first time to present my speech. I hope our Government will agree to us as the Opposition. Then we will form the regional governments for Kenya, and we will get prosperity.

Mr. Mbogoh: Mr. Speaker, Sir, it is interesting that the hon. Members on the other side are only arguing points they do not understand. I would have liked to see them as separate Members of their regions, but unfortunately do not see, except a few of them who have been Members of the regional assemblies.

Before I start my speech, I would like to congratulate the Minister for Finance on his very nice Budget, and for allowing for all these things that are needed by the New Kenya Government. However, I would like to criticize the Minister for not allowing enough money for security, so that when our hon. Members on the other side try to make their *Majimbo* they grow too fat living on mangoes.

One of the Members, said that he had only two Primary Schools in his Constituency. I would warn him that he is on the wrong side and if he wants more schools, it would have been the Government to have done something for the people, otherwise to shout from the other side is most unpatriotic, and I would ask him to reconsider that one.

On this business of *Majimbo*, I have seen everybody glorifying it so much that it is unnecessary. I mean this, if your people get *Majimbo*, they will be so fat that the Unitary Government will not work. Now what you want is a Unitary Government whereas in *Majimbo* they are always subordinate, and unless you have that, there will be no good Kenya that we want, we have always been able to say that we have got a Kenya we want, but when you come to the glorifying of the *Majimbo* we feel that we want to give it a slimming diet, so that it will be reduced to its size.

Mr. Speaker, Sir, I do not see why we should have an Opposition which opposes simply because it is an Opposition. We should have an Opposition which will oppose or which will criticize constructively. If not I would ask the hon. Members on the other side to form a Unitary Government and have no Opposition whatsoever, and then we could sit down and plan things instead of doing nothing.

[Mr. Mboogo]

Mr. Speaker, Sir, what this gentleman has been talking about, on the other side, is a criticism of Pan-Africanism. Most of us have been understanding Pan-Africanism all the time. What this gentleman says about it looks exactly opposite to the meaning of the word "Pan-Africanism", and they try to criticize it so seriously, and say that they want it at the same time, and unless they put forward some constructive proposals as to this Ministry, I do not think that they will continue very long with saying they do not understand. What I would suggest here, is that when we come to this Budget, we look at it as a very well planned Budget, and say that the Government will receive the assistance of the Opposition after that I am sure we will have a Kenya where everybody will play his part and do as expected by his constituency. Otherwise, just to sit down, abuse, strike and run will be very embarrassing.

Mr. Speaker, Sir, I feel that most of what I have said is not very much but I do not think I have wasted my own and other Members' time in talking about points which have already been put forward.

Mr. Ngeli Mr. Speaker, I would like to get your ruling on a point of information because we have had an accusation here that we do not know anything about Pan-Africanism. I think the question before you, Mr. Speaker, Sir, is whether the money to be spent on a Pan-African Ministry is worthwhile, but it is not a question of whether we agree with Pan-Africanism in our hearts. We the hon. Members of the Opposition, exhibit our Pan-Africanism in our hearts. Not only in our hearts, but we have done so in the Elections. We have heard people accusing the Opposition of not exhibiting Pan-Africanism. I would like your ruling, Sir, if we are discussing the money to be spent by the Ministry of Pan-African affairs or not.

The Speaker (Mr. Slade): Mr. Ngeli, all that you have said is quite in order as a matter of debate, but there is no point of order raised actually, by what hon. Members said on the other side. They are saying that, by your action, you have shown no interest in Pan-Africanism, and it is for you and your colleagues on your side to argue why you have shown an interest, just as you have been doing at this moment.

Having started your speech I think you had better continue it now, on any other subjects on which you wish to speak.

Mr. Ngeli Mr. Speaker, I want a ruling on my point of information. I will not continue my speech because I am scheduled to speak for thirty minutes on the Budget.

The Speaker (Mr. Slade): It was not really a point of order, but you may keep your speech for another day.

Mr. Oboke: I wish to criticize the speech made by the Leader of the Opposition, a person with a long record in Kenya's politics.

Sir, instead of thanking the Minister for Finance for the best work he has done for Kenya in laying a beautiful Paper in front of this House, he then came out with a speech criticizing the whole set-up of this Government. Sir, I think the Leader of the Opposition is making a big mistake, he has forgotten his past activities in the old Government. I want to know, as do other Members, that they are fully aware that the people's Government has been formed and is ruling now. With your permission, Sir, I ask Members of the Government, and I sincerely hope the Deputy Leader of the Opposition will agree with me, and the Opposition, that the Press should disregard that speech as a whole. This is the time when we want his support, to help us to restore confidence in this country. It is not the time for meddling around. Sir, and I thought he was an honourable Member who had served the old Government and had some experience.

Mr. Speaker, this is my first speech and I think I should thank the Minister for Finance for the wonderful job he has done for our country as an African.

The Speaker (Mr. Slade): As it is so near the time for the interruption of business, that I think it is hardly fair to expect an hon. Member to speak. Before adjourning the House, there is one point I would like to mention. In the course of this afternoon there have been very many speeches for and against the constitutional concept of regionalism, which is not irrelevant; but we have a Standing Order which debars repetition, and that includes repetition of what other hon. Members have said. I doubt whether there is very much more to be said on that particular subject. It may be that you will waste the time you have allowed yourselves for this debate by much repetition of it in the days to follow, and so I shall in the days to follow apply strictly the rule that debars repetition, and if any hon. Member is thinking of making speeches about regionalism he might like to think again.

ADJOURNMENT

The Speaker (Mr. Slade): That concludes the business on the Order Paper, the House is now adjourned until tomorrow, Wednesday, 19th June, 1963 at 2.30 p.m.

The House rose at twenty-eight minutes past Six o'clock.

Wednesday, 19th June, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR PRIVATE MEMBERS' MOTION

The Speaker (Mr. Slade): I think that Honourable Members would like to know how they stand with regard to allocation of time for Private Members' Motions.

Our present Standing Order 20, which is repeated in the draft new Standing Orders now before the House, provides that on every Thursday business other than Government business shall have precedence, save over the business of the Financial Statement on the Annual Estimates.

Business other than Government business is, in effect, Private Members' Motions, such as those of which notice has already been given by several hon. Members; and the question is how they should share the time which is made available for them on Thursday afternoons.

The fair allocation of that time is, in my opinion, the ultimate responsibility of the Speaker, who has the duty of ensuring that minorities are heard.

The practice of the former Legislative Council was to give priority to Group Motions, which were equivalent to Party Motions, because they were deemed to be more important or to concern a larger number of Members. Any other Motions for which time could be found took precedence either in order of date of each notice of motion, as decided by lot. Only during the unusual conditions of the last year, when there was a Coalition Government and very little formal Opposition, it was left to the Sessional Committee to decide the order of precedence of Private Members' Motions, according to that Committee's views of their relative importance.

Now that we have a clearly defined Opposition, and also a number of Members on both sides who wish to move Motions of their own which may not be officially adopted by their respective parties, I have decided that the best order of precedence will be as follows: not as an absolutely rigid rule, but as a general guide from which I shall not expect the Sessional Committee to depart without showing good cause.

Whether or not the House resolves to limit the time for debates on Private Members' Motions,

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the first two hours of every Thursday afternoon (subject only to precedence of the Financial Statement) should be available for Motions which are officially adopted by the Opposition as Party Motions.

All other time each Thursday afternoon, which will normally be about an hour and a half, should be available for Private Members' Motions which have not been officially adopted either by the Government or by the Opposition. The order of precedence as between those Motions should be determined by lot, but so that we alternate between Motions from Members on one side of the House and Motions from Members on the other. In other words, "free lance" Motions should be entertained from each side of the House in turn, and the selection on each occasion, as between those from the same side, should be by lot unless, of course, otherwise agreed by the Members concerned.

Motions from hon. Members on the Government side which are officially adopted by the Government will, of course, be included in Government business on other days of the week.

NOTICES OF MOTIONS

PUBLICITY REQUIRED ON RESPONSIBILITIES OF CENTRAL AND REGIONAL GOVERNMENTS

Mr. Matano: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the importance of the public being correctly informed on the division of responsibilities between the Central and Regional Governments provided for in the Constitution, this House calls upon the Government to organize the necessary and urgent publicity for this purpose.

EXPLOITATION OF ROSTMANN MINE

Mr. Masinde: Mr. Speaker, Sir, I beg to move the following Motion:—

THAT in order to encourage further mining in Kenya and increase its national resources this House urges the Government to explore all possible ways and means of attracting interested firms to exploit the Kakamega (Rostmann) Mine.

WOMEN AS SPECIALLY ELECTED MEMBERS

Mr. Omar: Mr. Speaker, Sir, I beg to move the following Motion:—

THAT this House acknowledges the full and vital part of women in the life of our country and calls upon the Government to replace some of its Specially Elected Members with women.

An Hon. Member: Rubbish!

Mr. Towett: On a point of order, is it in order to use the word "rubbish" when requiring hon. Members to give notice of motion? Is it in order for an hon. Member to refer to notices being given as "rubbish"?

The Speaker (Mr. Slade): No, that is not Parliamentary language. No need to withdraw if the hon. Member will kindly take note.

ORAL ANSWERS TO QUESTIONS UNIVERSITY COLLEGE, DAR ES SALAAM: GOVERNMENT CONTRIBUTION

Question No. 1

Mr. Ngala asked the Minister for Education if the Minister would tell the House what financial contribution Kenya Government made to Dar es Salaam University College between 1st July, 1961, and 30th June, 1963, in—

- Current expenditure.
- Development expenditure.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, on the first part of the question, (a) the answer is £20,000. On the second part, (b) the answer is nil.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply, why is the answer to the second part of the question nil, whereas development in this University and buildings are going on?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, if I may remind the hon. Member, the (Inaudible) so far we have not received any requests for funds, but we expect to receive some in the next Development Bill.

Mr. Ngala: Mr. Speaker, Sir, does the Minister mean to imply that he does not know his work, because this question is covering the period spent any Kenya money on the college during this period?

The Minister for Education (Mr. Otiende): Sir, as the hon. Member will know, because he was in a better position to know than myself, plans for the East African University are not yet complete and we cannot take unilateral action and give money to Dar es Salaam when they themselves do not know how much money they need.

Mr. Mazono: Mr. Speaker, Sir, would the Minister please explain how this £20,000 was arrived at?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, since I had no part in the fixing of £20,000, I expect the hon. Member knows better than myself. However, the planning of the East African University is done as a joint exercise by the three colleges of East Africa. They put their estimates to the three Governments and this is our share of the expenses.

Mr. Ngala: Mr. Speaker, Sir, the Minister has not replied to the question. We want to know on what basis the current expenditure is reached. Is it on the basis of intake or on the basis of costs by our students there? Is the figure of £20,000 from all the territories? How is it reached?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, it is not true that the questioner ought actually to give us the answer, as far as July, 1961, is concerned, as he was the Minister for Education at that time?

The Speaker (Mr. Slade): I think I had better answer that question. It is the responsibility of the Government of the day to answer questions, although the actual answer may show that the real responsibility for the state of affairs belongs to someone else of past times.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I cannot add to what I have said.

Mr. Towett: Mr. Speaker, Sir, if the Minister is unable to answer or to add to what he has said, is he prepared to undertake to supply answers, as asked for, to this House?

Mr. Ngala: Mr. Speaker, Sir, we are really surprised when every now and then, the Government here tells us that it is the ruling Government. I would like to ask a question, we would like to know from the Minister for Education how this figure was arrived at? We would like an answer.

The Speaker (Mr. Slade): I think I must explain to hon. Members that a Minister is never bound to answer any question, though they are liable to lose status if they do not. I should also suggest to you that you have to make some allowance for one who has only just assumed office, but the basic position is that Ministers are expected by the House to be fully acquainted, directly or through their offices, with everything in their Ministry, whether or not it relates to past activities. It will not be an answer to say that another Member of the Opposition was primarily, or originally responsible for the matter in question. That is, as I have already pointed out, not

[The Speaker]

a reason for not giving information, which the Minister should be able to give if he had been a little longer in office.

Mr. Towett: Mr. Speaker, Sir, I did not want to pursue the same matter, but is there no one on the Government side who can promise that we are likely to get an answer to this question in future, if not immediately, is there not anybody in the Government side?

The Minister for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, if, say as the hon. Member has suggested, the Minister for Education knows the answer, but he also knows that an answer may be embarrassing for that other Member, would it be proper then that the Minister would promise to give the answer, however short it may be, to the Leader of the Opposition in writing?

The Speaker (Mr. Slade): That is very often done, if the Minister is not able to answer the question immediately because he has not the information at hand. For instance, he often says that he will supply the answer in the course of the next few days, when he can collect the information required.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I understood from all that was said that the hon. Member, the Leader of the Opposition, knew all the figures and how they were arrived at, but if he should be ignorant, I am prepared to undertake to supply the figures in question.

The Speaker (Mr. Slade): Questions are asked not only for the information of the questioner, but also for the information of the whole House.

Mr. Pandya: Mr. Speaker, Sir, is the Minister aware that the information we are seeking is the contribution of the Kenya Government to the Dar es Salaam University College, and not the contribution of the Kenya Government to the setting up of East African University? It seems to me that he may have misunderstood the question.

The Minister for Education (Mr. Otiende): I am fully aware.

The Parliamentary Secretary to the Ministry of Works, Communications and Power (Mr. Nyaph): Mr. Speaker, Sir, is it a fact that the Minister has given the correct answer to the questioner about the question asked?

Mr. Ngala: Arising from the reply of the Minister. Can the Minister give us some assurance here that when the development comes to him he will see that Kenya has a fair share in comparison to other countries?

The Minister for Education (Mr. Otiende): Mr. Speaker, the answer to that is yes.

Question No. 3

INTEGRATED SYSTEM OF EDUCATION

Mr. Ngala asked the Minister for Education if the Minister would state—

- whether the Government had any positive intention of guiding Kenya students in the type of studies they undertook overseas in relation to the needs of Kenya?
- What plans Government had to overcome the unnecessary expenditure on repatriating private students stranded overseas?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to reply.

(a) Yes. This is principally a function of the Localization and Training Branch under the Director of Personnel, but the Kenya Overseas Scholarships Advisory Committee will also be able to give helpful advice to students who do not intend to enter Government Service.

(b) The important thing is, to prevent students from proceeding overseas with inadequate financial resources or to pursue unsuitable courses or courses for which they are not sufficiently well qualified, and the Kenya Overseas Scholarships Advisory Committee, on which the Ministry of Education and the Directorate of Personnel will be represented, is expected to deal with this problem. One aspect of it is, of course, the need to ensure that facilities for study in East Africa are fully utilized and that students do not go overseas except for those courses of study which are not locally available.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply to section (a), which is yes, implying that the Government has positive plans, can the Minister explain in detail what these positive plans are?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, as the questioner will realize, we have just taken office, and we have started planning for guiding Kenya students who want

[The Minister for Education]

to go overseas, but we are beginning earlier; we want to start in the secondary schools, we want to have one teacher in each whose work will be to guide the students in that particular secondary school to choose the correct course; a careers officer. When we have got that, then we shall be able to guide all our students to the correct courses, but at present our committee for scholarships is trying to induce students who have chosen certain courses overseas either to take them here locally or they can advise them to take the courses which they think are most suited for them. As you realize, we have not had the time, but that is our intention.

Mr. Ngala: Mr. Speaker, Sir, arising from the answer, does the Minister agree that he was incorrect in the first reply when he said they have positive plans for guiding students? Now he says that it is their intention to have them.

The Speaker (Mr. Slade): The question was "positive intention".

Mr. Malano: Mr. Speaker, Sir, would the Minister please tell the House what priorities they have in mind as to the needs of this country?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I would like to answer that question; but as it is not in my hands, it is in the hands of the Director of Personnel, I would need time to produce the necessary information.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply, can we get some explanation of why the Minister did not consult the Director of Personnel before he came here to give full and complete answers to the question.

The Minister for Education (Mr. Otiende): That is another question.

Mr. Towett: Mr. Speaker, Sir, the Minister, in part of his reply, has said that they have not been in office for a long time. Would it have been better for him to have kept this question and brought the answers more completely than they have been brought today?

The Speaker (Mr. Slade): No, because the Government is required to answer questions in a very limited time.

Mr. Towett: How many days, Sir?

The Speaker (Mr. Slade): I forget the precise number. However, it is very few.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply to question 3, section (b), can the Minister

tell us what expenditure has been carried out by Government in repatriating stranded students from overseas in the last six months?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, so far we have not spent any money, I am advised, but since the Ministry of Defence is connected with this matter if the hon. Member would like it I can produce it later.

Mr. Towett: Would the Minister for Education not to ask the Minister in charge of defence to answer this question now?

The Speaker (Mr. Slade): That would not be in order, I am afraid. Only one Minister answers a particular question and all supplementaries.

Mr. Ngala: Mr. Speaker, Sir, could we know whether students that have recently come back from Bulgaria have been paid for—to return to Kenya—by the Minister for Education or the Minister for Defence?

The Minister for Education (Mr. Otiende): That is a different question, Sir.

The Speaker (Mr. Slade): It isn't actually, but you need not answer it.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, the answer I have to inform the hon. Members opposite is that Government luckily has spent no money on repatriation of students from Bulgaria.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply, is the Minister aware that some of the students that have come back in about four months have actually been paid expenses by Government, the Kenya Government?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I shall repeat for the benefit of hon. Members that this Government has spent no money.

Mr. Shikuku: Will the hon. Minister for Education try and explain to this House the difference between the Minister for Defence and the Minister for Education and under what Ministry the Minister for Education actually comes.

The Speaker (Mr. Slade): I think we have wandered too far afield in that.

Mr. Ngala: Mr. Speaker, Sir, could the Minister tell me what expenditure the Education Department, not the Government this time, has spent in the last four months in the training of students?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, that supplementary question has just come up in the debate, I might as well tell the hon. Member that if he wants the figures I will obtain them in due course.

Mr. Ngala: Mr. Speaker, Sir, the Minister should no doubt know that this question was submitted four weeks ago. He has had time to study it and has not done so.

Mr. Towett: Mr. Speaker, Sir, is the Minister right in saying that this question was put to him only today?

The Speaker (Mr. Slade): I think he is referring to a supplementary question only having come to him today.

Mr. Towett: Mr. Speaker, Sir, could the Minister tell us how many such students have returned on their own back to Kenya from overseas countries within the last three months? How many of them?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, as to that question, it is a different question. If it is accepted I can obtain the figures.

The Speaker (Mr. Slade): I think that is a different question. The question here is the cost of repatriating students. Those who come out at their own expense do not seem to be involved.

Mr. Alexander: Mr. Speaker, Sir, the Minister having told us that the policy is to fill places in our own institutions first, will he tell us whether there are any vacant places in any of the East African institutions and, if so, why?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, there are very many vacancies in our three institutions. As to the reason why I can only say I do not know. However, steps have been taken to fill those places that are vacant.

Mr. Alexander: Mr. Speaker, Sir, arising from that reply do any of these vacancies relate to tuition or qualification which people are in fact, or have in fact, sought overseas and are engaged upon overseas?

The Minister for Education (Mr. Otiende): The answer is "Yes", Sir.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply by the Minister, can the Minister say that steps are being taken, and do these steps include sending going to study overseas, at the cost of these institutions which are already in existence in East Africa?

The Minister for Education (Mr. Otiende): If the hon. Member could refer to the original answer he will see that that is the case, Sir.

Mr. Alexander: Does this mean, Mr. Speaker, then that we are paying twice as it were for the same students, once for a vacant place here that he might have filled and, secondly, for expenses for him overseas wherever he is being taught?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, the hon. Member can remember that we are talking about private students who go on their own. So it does not come twice; the private students go on their own and if the ordinary people can restrict to present those who come through Government channels.

Mr. Ngala: Mr. Speaker, Sir, arising from that reply, does the Minister imply that K.O.S.A.C. is a Government body, not a private body?

The Minister for Education (Mr. Otiende): It has full authority of the Government, Sir.

Mr. Ngala: Mr. Speaker, Sir, that is not a reply. I am asking whether K.O.S.A.C. is a Governmental body, or whether it is not a private body?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, that is a body which advises Government, a statutory advisory body.

Mr. Towett: Is the Minister therefore right when he says that we are talking about private students who go on their own?

The Minister for Education (Mr. Otiende): I cannot stop private students from going on their own.

The Speaker (Mr. Slade): I think that is enough on this question.

MOTION

PRECEDENCE OF BUSINESS: BY ORDER OF THE HOUSE

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I rise on a point of order in relation to Standing Order 122 (1) and ask leave to move that the House orders that Orders Nos. 7 and 8 on the Order Paper take precedence over the Budget Debate, Order No. 6, to allow the procedural machinery of the House to work.

The Speaker (Mr. Slade): Yes, it will be in order for you to move that.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that at this day's sitting the House orders that all other business on the Order Paper take precedence over Order No. 6, the debate on the Financial Statement on the Annual Estimates.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I do not know whether the Government is afraid of views from this side in bringing in this notice of orders which are intended to postpone and lessen the opportunity for the Opposition to give their views on the Budget, and if this is the intention of the Government I would like to protest against this very strongly because just yesterday I moved that we should be given a longer time and now the Minister for Finance twice has come forward to delay and waste the time of the Opposition in giving their views on the Budget, and I would like to protest against this.

Mr. Towett: Mr. Speaker, Sir, this is one of the oddities I always speak of about and the problem here is this, Sir. When we come here in the morning and we receive an Order Paper we, as Parliamentarians, and as we are expected by our people to do some research work, we do it according to the list on the Order Paper. If it means, Sir, that we bring forward orders Nos. 7 and 8 and then we decide first order No. 6 if means that we should seek the adjournment of more homework, because we have been working all morning on what to say on order No. 6. Now the Minister for Finance comes here without notice, I do not want to say without courtesy, and tells us that we now have to by-pass order No. 6. If we want to work for the good of this country and if we are expected to study the Budget so as to speak more adequately on it and to give very good views on the Minister's own speech, Sir, today, and if we allow this and postpone order No. 6, maybe, it will not come up until next week. So, as far as I am concerned, Sir, I am not prepared to accept this short notice of changing the Order Paper but this is a most outrageous one and I would ask the Minister for Finance to withdraw the wish to change the Order Paper for the good of this country. We have worked on this and we are not prepared for this other matter, Sir, and will not be able to give proper views but will

only say things that are unpalatable and things that are not constructive for the good of the country and then go to order No. 7. We will be destructive because we have not taken note of what is good in orders Nos. 7 and 8. So, with all good humility I would like the Minister for Finance and the Government to withdraw this particular Motion and give us a longer notice, probably tomorrow, Sir.

The Speaker (Mr. Slade): The hon. Member is not quite correct in all he says. The Order Paper does contain a note at the end, "Hon. Members are kindly requested to note that order No. 6 will not be taken in its place as it is necessary to obtain decisions on the motions for the appointment of the Sessional Committee and for the adoption of the Standing Orders". So, hon. Members have notice of this particular Motion. The reason, I must explain, for this procedure is that our Standing Order 122 (1) says "Unless the Council otherwise orders the debate on the Financial Statement shall take precedence over all other business", so that pending an order by the House it has to appear first on the Order Paper; but there was a note to all hon. Members that Government would suggest that the House orders otherwise, and that is the purport of this Motion.

Mr. Towett: I am sorry, Sir, I did not look at this in the morning.

The Minister for Natural Resources (Mr. Argwings-Kodhek): It appears to me that the hon. Member is entitled to know how many hours study the Order Paper for today and how many hours they need to carry on studying the Order Paper so that they can talk sensibly and forcibly in this House.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, there is no intention whatsoever to try to delay the debate on my speech. As a matter of fact we have nothing to fear, but there was complaint the other day, either yesterday or the day before—yesterday, I think—by the Leader of the Opposition and one of the other Members—I forget who it was—about the Sessional Committee. All we are trying to do is to put things right. If you stop talking so much, these two items only take two or three minutes, and then we can get on to the other talking points.

Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

MOTION

STANDING ORDERS OF THE HOUSE OF REPRESENTATIVES

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I beg to move the following Motion:—

THAT the Draft Standing Orders of the House of Representatives, 1963, be the Standing Orders of this House.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

Mr. Alexander: Mr. Speaker, Sir, I recollect that in the previous House we got into some difficulty because our Standing Orders did not provide for Motions of Adjournment when the House is to adjourn indefinitely, or to a date other than the date following. You did, I think, Sir, at that time devise some unique procedure of your own which helped us out, but I am just wondering whether we have provided for this in these Standing Orders. The procedure I refer to is contained in Erskine May, sixteenth Edition, at page 299 and page 307. If, Mr. Speaker, it is not in here—and I do not see it, I may be quite wrong perhaps I have not found it—could we have an assurance from the Government that they will take the earliest opportunity to bring these Standing Orders into line with a procedure which would make it, I think, easier for you, Sir.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, the point raised by the hon. Member will be considered.

The Speaker (Mr. Slade): I am afraid your reply was a little premature, Mr. Kenyatta, as another Member wishes to speak.

Mr. Towett: Mr. Speaker, Sir, I am quite sure that not very many people will speak on this Motion on the Order Paper today because, if I gather it correctly, they have not studied it and are just going to push it through. I just wanted to raise that and put it on record that this has come to us more or less as a sort of surprise. I do not want to say it is a complete surprise because we have had it for some time, but very few people today have studied it adequately and this is not going to be for the good of this House, Sir.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Sir, it is

difficult to understand that attitude. A copy of the Draft Standing Orders was circulated to all Members of this House quite some time ago. Those Members who wanted to read it had plenty of time to read it. There was notice of the Motion on the Order Paper that this was one of the items which was intended to be taken up today. Now that the item is taken up according to the Order Paper, we see that Members are not ready. If things are to be done that way, I am sure that type of Member will never be ready because people must be able to read this draft of Standing Orders in these few weeks. If not, how can he read them in the next few days? He suggests that this Motion should not come up today. That, of course, is impossible, because if item 6 was to be taken today then it would have no meaning at all. He knows that item 6 is to go on for a week. The only purpose of putting this item on the Order Paper was to have it today and there is no reason why Members should not be ready for this debate.

The Speaker (Mr. Slade): I will ask Mr. Kenyatta if there is anything he wishes to reply to.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I do not think I have anything more to add to what is already indicated in the Paper.

(The question was put and carried)

MOTION

SESSIONAL COMMITTEE: APPOINTMENT OF

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I beg to move the following Motion:—

THAT this House nominates the following Members to be Members of the Sessional Committee:—

The Minister of State, Prime Minister's Office (Chairman).

The Hon. F. R. S. De Souza (Deputy Speaker).

The Minister for Home Affairs.

The Minister for Commerce and Industry.

The Minister for Health and Housing.

The Minister for Information, Broadcasting and Tourism.

The Hon. Chanan Singh.

The Hon. R. G. Ngala (Leader of the Opposition).

The Hon. R. S. Alexander.

The Hon. Galgallo Godani.

[The Prime Minister]

The Hon. B. M. Kagga.
 The Hon. J. D. Kall.
 The Hon. E. E. Khasakhala.
 The Hon. M. Kibaki.
 The Hon. J. L. N. ole Kionchella.
 The Hon. M. Muliro.
 The Hon. J. K. Ndiile.
 The Hon. P. J. Ngei.
 The Hon. J. J. M. Nyagah.
 The Hon. T. Okelo-Odongo.
 The Hon. A. J. Pandya.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

Mr. Towett: Mr. Speaker, Sir, I have no quarrel with the list of the names as such, but I would have asked the Government—I do not know what the constitutional procedure is in other countries—why they could not see fit to appoint a non-Minister as Chairman. It appears to me anyway that it would have been better if we had a definite figure as Chairman of the Sessional Committee, unless it is contrary to procedure. Personally, I do not feel happy to see one of the Ministers being Chairman of our Sessional Committee. We do not want to continue with the sort of ministerial, I was going to say, laziness, Sir, but I say inefficiency, in the Sessional Committee. We have had one example of some forms of inefficiency in the ministerial portfolios in the Government, but I want somebody who is not tied up with ministerial work to be the Chairman of the Sessional Committee, of course, I am not saying that the Minister of State in the Prime Minister's Office should not be present but I am thinking for the good of this country, that we should have somebody who, like the Deputy Speaker, has more knowledge of business here and the Government's directions and ideas and accompany them with the spirit which is good for the working of this House. This is my own way of looking at it. I am not saying that I am right, maybe I am wrong, but I am asking the hon. Members of this House, to consider this matter and probably revise the idea and agree to have the Deputy Speaker as Chairman of the Sessional Committee, rather than the Minister from the Prime Minister's Office. I understand today that the Ministers of State are both absent and I am pretty sure that the two Ministers of State will be assigned to do some work not connected with the internal affairs of Kenya. They are more likely to be out than to be here and

looking after the interests of matters of this House, Sir, so I am appealing to this House and hon. Members to review that particular aspect in the list of Members of the Sessional Committee, in view of the fact that one of the Ministers of State in the Prime Minister's Office is the one in charge of Pan-African affairs and the other one is in charge of external affairs outside Africa. They are very mobile, they will be flying to and fro and we may not have access to their services for the good of this House. I am appealing to hon. Members, Sir, with that opinion of mine.

Mr. Ngala: Mr. Speaker, Sir, I would like to get assurances from the Prime Minister.

First, I notice that this list is filled with people from the Government, it is packed with people from the Government, and there is the voice of the Opposition being denied. The first point I want to get assurance on is whether the Members of the Opposition side will get a guarantee in spite of the majority of Members of the Government side in the Sessional Committee?

Secondly, I would like to get an assurance from the mover that private Motions, Opposition Motions will be guaranteed, and not be ignored by the people who are packed in the Sessional Committee.

Thirdly, I would like to know from the Prime Minister why the Ministers are mentioned by title and not by name?

Mr. Towett: On a point of information from you, Sir, I am seeking information on the procedure in the Sessional Committee. Is it the Government side which is in the majority at a rule, or the Opposition? I want this from your experience, Sir.

The Speaker (Mr. Slade): It has been the past practice of the old Legislative Council that the Sessional Committee should be approximately proportionate to the strength of the various Parties in the House.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I only wanted to say what you have just said, but I might mention one other fact. I believe it is the practice to show the Ministers by mentioning the office which they hold rather than by their names, whereas Parliamentary Secretaries, who were also mentioned in the Notice of the Motion itself, are mentioned by name in the practice of this House.

The Speaker (Mr. Slade): If no other Member wishes to speak, I will call on Mr. Kenyatta to reply.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I think some of the Opposition either like to hear their voices or waste the time of this House. I think the Opposition has been well represented in the selection of the people in the Chair. The question as to who will be in the Chair has already been discussed. Either the hon. Member who spoke before the Leader of the Opposition did not have any information from his Party or he did not study his Party's proceedings. So I think the names listed here have been fully discussed. Those who belong to my Party or to the Government side have been agreed upon by this side. Those who are listed as Members of the Opposition have also been agreed by the Opposition. So, Mr. Speaker, I do not think—

Mr. Towett: Would the hon. Prime Minister give way on a point of explanation?

An Hon. Member: You do not have to give way.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, I do not think that there is any necessity at all to change the list which appears on this Motion.

Mr. Speaker, Sir, as to the assurance sought by the Leader of the Opposition, I want to assure him that the Members of the Sessional Committee must be given freedom to use their own discretion. I do not think it will be fair for me or anybody else to dictate on what the Sessional Committee should do or they should not do, because otherwise it will not be any use selecting them and trusting them with the duty which they have to perform. So I can assure the Opposition Leader that we have no intention of using a strawpoll method, as he thinks. We are going to be fair and democratic and use the rule of the majority.

(The question was put and carried)

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
 (Resumption of debate interrupted on 18th June, 1963)

(Budget Debate)

Mr. Ngei: Mr. Speaker, Sir, I do not want to make provocative statements to a Government which has just taken over, but I am entitled to make some observations because of the fact that

speeches have been made after the Minister for Finance has published what I should call a Budget which cannot really be considered as a serious Budget because of its inefficiency in many things, especially in the place where he deals with developments. We expect a good Government, especially with the millions of Africans in Kenya today who are waiting to see an entirely efficient Government getting into the job. We have seen here, in the House, Mr. Speaker, many speeches which have been made. I asked, Mr. Speaker, to rule whether a speaker was in order, to challenge the Opposition whether we share the ideals of Pan-Africanism. The question was the money which was to be spent on Pan-African Ministries.

Mr. Speaker, Sir, we expect a good Government, a Government that will be aware that millions of Africans in Kenya today are poor and they cannot afford to spend money. I want also to say, Mr. Speaker, unnecessary expenses that have been incurred by the Ministers, they have got money while the ordinary men out in the country have not. In the public speech which lasted for more than two hours and was given by the Minister for Finance he talked about development and I listened very carefully. I did not hear anything about those poor people in the Northern Frontier District, the Turkana, the Rendile and so on. Those people are starving and they have no water at all, they have no grazing at all, but I have heard the Minister providing an estimate for settlement. This was for the well-developed and well-watered areas. We have not heard anything about the Yatta area where millions died when the floods and famine were on. Yet the water is left to flow into the ocean, Mr. Speaker. Thousands of these people need the water but yet the water is left to go into the Indian Ocean instead of watering that delta area and giving more developments. This is the sort of thing that we expect, that is not *Majimbo*, Mr. Speaker, Sir, but that is something which is there and it is quite obvious. The Minister did not outline anything about the plans for sisal planting in areas where sisal can grow very well. We did not hear the Minister saying anything about rents, the poor workers in Kenya are starving because they have no money to pay the rents. The rents are still there and we want to come and ask for the Minister's salary. This is a sort of thing, Mr. Speaker, Sir, which we must not expect from a Government like this, especially when it is the first African Government.

Nothing has been mentioned about the workers' pay. We hear in this House about the very unnecessary spending of textile revenue. We spend much all our time here listening to long speeches which

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has no meaning. We want prosperity. We want to come to the real current problems facing the African people. We are also hearing about the problems of teachers in Machakos who have not been paid by this Government, they are saying, Mr. Speaker, that they are going on strike. Yet the Minister for Finance has not said anything about paying them.

Mr. Speaker, if this is the sort of Government we have to expect in this country, then I will ask this Government to resign immediately. They are sitting here giving long speeches about Pan-Africanism and federation. Nobody is opposing an African federation but the question is a current one, where Africans have waited for years and years to see a Government like this, Mr. Speaker, coming to rule. This Government, however, is sadly disappointing those poor Africans. They dream of things like international banks, they dream of economic surveys, but the ordinary African does not know what "economic" means. He is concerned with what he has in his stomach today. He is not concerned with printed papers like this, Mr. Speaker, the poor people are not concerned with hordes of papers—which, of course, take up most of their money—but they want to see something concrete being done.

We did not hear anything from the Minister for Finance about the loans to farmers, and the loans to traders. They want to trade also, they want to be promoted yet the Minister for Finance does not say anything about the loans to farmers nor to traders. Nothing was said at all. What about those ex-detainees who are using public money? Mr. Karuki is away down in Manyani for no reason, and he is spending the public money for no reason and this money could be spent on development and other important things. When the majority of this Government is formed by people who have been in prison for years—they ought to know what it is like to be in prison—they ought to release such a man and let him earn his own living.

I want to say something about the preference which has been given to settlements by the Minister for Finance in the areas where I consider—

The Speaker (Mr. Slade): Order, order.

Mr. Kamau: Mr. Speaker, can the present speaker agree that Members on the Opposition side have also been in prison?

The Speaker (Mr. Slade): Sorry, Mr. Kamau, that is not a point of order.

Mr. Ngeli: My next point, Mr. Speaker, refers to settlement schemes, although I have been interrupted. Mr. Speaker, we have seen that settlement schemes are being given preference, perhaps around the area of the Minister for Finance and Economic Planning. What about resettlement? What about irrigation schemes around the rivers and so on? We have not heard about this. What is going to be done for the Masai? What about digging wells? What about the bare necessities of life? Those are the things that I expected to hear about from the Minister for Finance and Economic Planning, but he did not tell us anything about the things. Instead of that they try and give us provocative statements about constitution. Of course, I do not want to go on with what Mr. Speaker ruled yesterday is out of order today, but they went on making provocative statements. We know for certain what is actually going on now in the present constitution and to try and bring a different view into this House and to try and lead us to something that we cannot believe is wrong. We know they are part and parcel of the technicalities of the present Constitution.

What about the East African federation? We have been told that steps must be taken to federate the East African territories. We are not making a row about that, but we are picking a row about the money. Concerning those Ministers of ours who are flying to Dar-es-Salaam and Kampala and then back here. We would like to know whether the electorate has been consulted in this matter. I feel, Mr. Speaker, that the present Government has not enough money to spend in this way. They did not get money from the electorate when they were reviewing the idea of federation. We are told and the money that has been spent, and we would like to make it quite clear, although the Opposition is not actually against the federation of East Africa, that we would like to know about this money point of view, and that is why I am asking the Minister for Finance and Economic Planning these things. We have also heard the Minister for Finance and Economic Planning telling us, in that there are £2 million a year to be found in this country. The hon. Minister did not tell us whether he planned to have the size of the army cut or increased, but there was nothing of that sort. We would really like a fuller statement giving us details which I am really trying to ask. I would like also, Mr. Speaker, Sir, to say to the Minister for Finance and Economic Planning, that he did not tell us anything about the *Uhuru* celebrations and the amount of money that was going to be spent. We know this is a very important

[Mr. Ngeli]

occasion, but we feel that the money should be spent more on building a big international stadium here where we can have other people coming to the stadium and bringing money into this country, rather than spending our money lavishly. It is just like a man, Mr. Speaker, who has his own food, and eats up that food and tomorrow has nothing to eat. I am more concerned, Mr. Speaker, with the ordinary African who is, at the moment, living under very bad conditions, disease being the order of the day. This Government must show that it is trying to govern with responsibility, and not every now and then telling us, "We are ruling, we are the Government." We know that, that is obvious. What the ordinary man is concerned with is the work which you do for those people.

I would like to add, Mr. Speaker, many other points when you get a Budget speech which has been made and which is void, without anything inside, you cannot really follow the points or ask anything because you have got nothing to ask. It is the Minister for Finance. He proposed an increase in school fees for non-African schools. A Government which is still believing in racialism and yet is a National Government should not do this. I wonder how the non-Africans on the Government side will feel when their own folk are being taxed more for educational fees, and yet they are in the Government.

That can be said, but they showed they still believed in racialism when they had those school fees specially written in the Budget Speech, saying they are going to increase the school fees of non-African schools. I thought we had finished with the non-African schools, I thought that there was only one Kenya people. We do not want this sort of racialism.

Mr. Speaker, Sir, I do not want to make an unnecessarily long speech, that the Minister for Finance and Economic Planning did nothing else but to give us a vain, empty Budget Speech.

Mr. Njiru: Mr. Speaker, Sir, I would like to say that we have now been given a fine Budget by the Minister for Finance and Economic Planning, but I am very surprised to hear some Members of the Opposition talking about the trips our Ministers are making from here to Addis Ababa, to Dar es Salaam, for the country's development. The last speaker felt that they were the only people who were making more trips, and now the question is the Government. Mr. Speaker, Sir, it is very surprising to hear the hon. Member talking about the African payment. I would suggest, Mr. Speaker, that he should

refer everything to the Bill of Rights which has been written down to know the payments. We have the trade unions who are the people to consult about that.

On the Government question, Mr. Speaker, the Government and the Minister for Finance have explained to us that we have three enemies which we are fighting: illiteracy, poverty and disease. When the hon. Mr. Ngeli was talking about the ordinary people, our Finance Minister has suggested to us what we, as the first African Government, have to do.

I would like, therefore, Mr. Speaker, to support wholeheartedly the Budget which has been presented to us by the Minister for Finance and Economic Planning. I thank you, Mr. Speaker.

Mr. Shikuku: Mr. Speaker, Sir, I wish to thank all the hon. Members in this House for the fight they put up in the last election which has resulted in their presence in this House. I hope, Mr. Speaker, that the hon. Members who are now sitting in this House are going to behave themselves as hon. Members and think constructively. You may shout, but that will not move me from my thinking, Mr. Speaker, Sir, if moved from my way of thinking I shall be falling in my duty to the country to which I belong. I do not have any country other than Kenya, and I do not think of any place where I can have the freedom of expressing my feelings other than Kenya. Therefore, I must point out to all hon. Members here that the time for electioneering has gone, and so has the time for cheap policies. Now the time has come when we on both sides have to sit here and think constructively and deliver the goods to the masses.

We are confronted with the problem of being a nation. This is the most important thing. The nation cannot be built on mere emotion and cannot be responsible by speeches inside the House or outside the House by hon. Members. When you talk in terms of being a nation, I think you have to consider very seriously, indeed what pattern that nation is to take. Mr. Speaker, Sir, some of the hon. Members did not seem to know that at the moment anyone is free to express his own views or talk on any topic during this debate on the Budget. I wish they could have listened to the Speaker yesterday. Mr. Speaker, Sir, it is on this principle that we must have agreement, and on what items we are going to build the nation. I am very glad that we are the foundation stone of the nation, as a result of the leaders of the parties Kanu and Kadu spending eight weeks in London in that cold, at the expense of the masses, that this Constitution was agreed. I do not wish to go back on your ruling about

(Mr. Shikuku)

Majimbo, but that was the foundation. During the debate yesterday, Mr. Speaker, some of the Members on the opposite side tried in their speeches to make us feel that if we said this or that then something would happen to us, or to point out to Members on the other side that we can never under any circumstances be deported by anybody; we have nowhere to go but Kenya. We can never run away. The hon. Members on the other side must equally know that the hon. Members on this side, not Nominated Members but Elected Members, had a larger majority than some of them.

Mr. Speaker, Sir, as time is running out, may I run over briefly so that I can get something across. When we talk of the Budget, this Budget, it appears that—I think that the Minister for Finance would excuse me for this—he did not take into account the regional authorities or the money for the authorities of Majimbo. He who thinks in terms of Majimbo not being there is like a kid who has been left to cry when the father and the mother are disagreeing about something in the family, then he says: "Father, why did you give this to this brother or this sister?" Majimbo exists. It was agreed by Kanu and Kadu. We must get this very clear that Majimbo exists and that money must be given to the Majimbo Government. Englishmen say that some one has got to wish, if wishes are to be met.

Mr. Speaker, Sir, it must also be known to this House that federal government cannot claim to have the majority support of this country. May I make my point clear? Is it not a fact that the present Government controls three regions and this side of the House controls exactly three.

The Speaker (Mr. Slade): I do not think that has any bearing on the Financial Statement.

Mr. Shikuku: Mr. Speaker, if I may elaborate on this. When I mentioned this strength I wanted you to consider that the people of those three regions must have money allotted to them. That this point has been ignored by the Minister for Finance. It is time, too, for the Government to act and think not in terms of parties but nationally and as the Government of Kenya. So far the views expressed yesterday and today indicate very clearly that the Government still thinks in terms of parties and not as the Government. The sooner you are shifted from that idea the better it will be for you and for the country.

May I come to this question of education? I know some of us have said something about it,

but I have different views about it. My views are that some of us here come from very poor families, some of us here could not go on with higher education because we had poor families. Now, when we talk of increasing the fees I almost go mad. The ordinary poor man who cannot even afford to dress himself, who cannot afford to pay even his personal tax and so goes to prison, when he comes here for a job there is no job, he goes back home, the police arrest him, etc., how do you expect that man to pay increased school fees. That is not the fault of Majimbo.

The Speaker (Mr. Slade): Unless you have something new to say about Majimbo would you please leave the subject alone. Likewise to all hon. Members with their interjections.

Mr. Shikuku: Thank you, Mr. Speaker. Here is a thing that affects most of us in my area. Butere, my people are so poor they are not even able to pay their taxes. Most of them have been put on the road to imprisonment. Is this Government expecting a man who cannot pay his African District Council Tax to be able to pay increased school fees? Members when they come here have got to be constructive and think honourably. How does the Minister for Finance expect these poor people of mine to pay these fees? Then he tells me proudly that there was no increase on smoking or beer. Which is which, which is important? The drink and the smoking or the education of the country. Are we to be taxed in regard to smoking? Instead of increasing the school fees, let me suggest, Mr. Speaker, let us tax the people who drink. After all you will not die if you do not drink, nor will you die if you do not smoke. With all due respects to the Minister for Finance, it is time he reconsidered his decision on this question of school fees, in order to have that money which he would get from school fees, let him have an extra 20 cents on a packet of cigarettes, or let us have something extra on a bottle of liquor. Let us also have an increment on cinema going. These are all luxuries. We have got to sacrifice to bring up young people. I have been to school, and so have you all. But it is a shame for the poor man who cannot afford to send his children to school. It must also be known that some of the international leaders came from poor families and not from royalty. If we have to build this country into a nation, then it must be a nation that can be respected by other nations in the world, and thus we must not overlook that the poor men get a good education. Some of the rich never prove to be any good at books. The rich men will never have the feeling of the people

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at heart, because they have never had the same trouble. But the people who have had trouble will always remember that there are others who suffer. I feel that in the interests of the country that he should think again about the school fees, and instead increase other items. So, we shall get education to the poor people who shall prove themselves to be, perhaps, great scientists, so far we have none, it is from the poor families often that the best brains come. This man who invented the motor car was not a man from a royal family. I am sure that we must give opportunities to the poor classes, to come up, so that they can use their talent to make this country a place where we can have the respect of others. Also, Mr. Speaker, Sir, I hope the Minister for Finance will take seriously what I say. This was mentioned yesterday by the hon. Chanan Singh, that if we want to improve the standards of education, I think the Ministries like the one for Pan-African Affairs should go. In Ghana—I have been there—there is a bureau for Pan-African Affairs, Pan-African business. The man who is running that is not a Minister, he is just an ordinary Secretary, and I challenge anybody to say a Ministry will be necessary in the future. If a country which has achieved independence before Kenya is not allotting a Ministry to Pan-Africanism but can only afford to allot a bureau why should we allot a Ministry? Can we afford to allot a bureau? This Ministry, Mr. Speaker, Sir,—

The Speaker (Mr. Slade): The hon. Member must address the Chair, it is not in order to address an hon. Member direct.

Mr. Shikuku: If this can be done in Ghana, Mr. Speaker, Sir, we have already been told about this here and there. I do not have to go into it—why cannot we do away with this Ministry and have a bureau like Ghana, and save money so that the standard of education could be improved? The teachers are already complaining, we have already been told about their salaries. We need good teachers. So far, Mr. Speaker, Sir, it is regrettable that the Minister for Finance did not tax drinks and cigarettes.

An Hon. Member: Point of order.

The Speaker (Mr. Slade): That is not a point of order. I must explain again that a point of order is only a point concerning the procedure of the Council or the conduct of Members. All these other points, these questions to Members speaking, points of explanation, and so on, are debating points which can only be interjected if the Mem-

ber speaking give way. If he gives way, well and good, but you cannot force your way in on a point of order which is not a point of order.

Mr. Shikuku: Thank you, Mr. Speaker. I wish these interruptions would stop as they are very distracting. Nevertheless, on this question of Pafneca, I want it to be made known to the hon. Members in this House that Kenya as such is conscious of the existence of other countries outside Africa. We are here to think about the things which we have in this country and also outside. This also includes Pafneca or Pan-Africa. But we must also consider our own financial position. I feel—and very strongly, Mr. Speaker—that this Ministry should be scrapped, and the money allotted to that Ministry should go to education. The other Ministry which I think should be scrapped in favour of education is that of Local Government.

An Hon. Member: Speech, speech.

Mr. Shikuku: There is nothing wrong with reading my speech—

The Speaker (Mr. Slade): I must disagree, Mr. Shikuku, because there is a Standing Order which prohibits the reading of speeches. We do allow considerable latitude in maiden speeches, but try to make it as much as possible reference to notes rather than reading word for word.

Mr. Shikuku: This is not a speech, they are only points on the paper; I am just referring to my notes.

The Speaker (Mr. Slade): That is quite in order.

Mr. Shikuku: As regards local government, if we look at the Constitution, which most hon. Members in this House have at that Constitution and do, if you have a good look at that Constitution and read it, you will find that the powers are in the hands of the regions. In other words, the Minister for Local Government has very little indeed to do. Therefore, I feel that if that little job which he has got to do could be given to another Ministry, it would also save us money on this Ministry and that money could go to education. I am of the opinion, Mr. Speaker, that teachers' pay must be worth while. If we want good education for our children who are the future generation of this country, then the teachers must be well paid. What is happening now, Sir, is this. Most of the teachers are leaving the schools, some from Makerere and some from University. They are not interested in teaching. After all, they say the salary of teachers is so low

[Mr. Shikuku]

that they had better go and join the Shell Company or join the Government and get higher wages, and that is what most people have gone to school for, and therefore, they like to go to a place where they can earn more, as at the Shell Company. Mr. Speaker, Sir, I feel this should have been taken very seriously by the Minister for Finance, the teachers' salaries should be improved, their posts should have been made attractive so that people from various Universities and colleges would have come out to teach our children, and give them proper education. I do not mean to say that those who teach now have not got the qualifications to teach them, but I am of the opinion that more could be attracted if we would make salaries of teachers attractive.

Another Ministry I feel should be scrapped is this Ministry of Home Affairs. This could be done by eliminating one of the Ministers in the Prime Minister's Office, like Mr. Murumbi, or his job being given to a secretary. They could do his job easily, and it would save money. I think that the Minister for Finance ought to take that point and think about it, in the interests of the country not in the interests of Shikuku or anybody here, but in the interests of next generation's education. It would be very welcome.

The other question about education is that if the fees are to be increased, is it the intention of this Government to increase these fees so that the poor man could not go to school, and thereby remain in complete ignorance and then be bulldozed and pushed round by this Government? I think, Mr. Speaker, Sir, that these education items are very important, I have many points to touch on, but since the time is running short, I have to get some of the points across.

Now, here we get a point where hon. Members are giving speeches that are irresponsible. We are talking in terms of attracting outside capital. The capital can only be attracted by the ability of the speeches given by the Government and also, that we are being constructive? In the speeches of the Government there have been many provocative statements which, of course, the Opposition will have to take up. The Opposition will have to take up a little bit. But this is very unfortunate, because if we go on quarrelling among ourselves, that would scare capital away from this country. Therefore, it will be useless for us to sit down here and think that we are trying to build up a nation when in fact we are destroying it. Speeches like, for example, if I may quote Mr. Speaker, somebody says "Who are these animals?" Are our people to be referred to as

animals? If we have got to be referred to as animals then you must refer to yourselves as animals and I do not know what sort of animals you would be. But I feel these speeches as such, Mr. Speaker, Sir, cannot lead us anywhere. Calling you an animal or me an animal—

Mr. Kiprotich: On a point of order, Mr. Speaker is the hon. Member on the Opposition speaking on the Budget or is he speaking on personalities. Does he mean the person who is talking about animals is in this House or is outside this House? Is he speaking on the Budget?

The Speaker (Mr. Slade): Are you rising on a point of order Mr. Kiprotich or are you asking a question of the hon. Member?

Mr. Kiprotich: Mr. Speaker, I am asking whether the hon. Member is speaking on the Budget, or is he referring to what was put in the newspapers about people being animals.

The Speaker (Mr. Slade): You are suggesting that this is not in order. The hon. Member is in order. The hon. Member may discuss anything that is relevant to the case; he may refer to things that have been said outside this House to newspaper reports as well as things that have been said on the Floor of this House. That was in order.

Mr. Shikuku: Thank you very much, Mr. Speaker. These sort of speeches are not the custom in East Africa. We know we are poor; our financial status is bad; we must do our best to attract more custom to this country to provide for employment. Unfortunately, the Minister for Finance did not do anything to tell us what arrangements he has made to deal with unemployment.

The other point is "threats", Mr. Speaker. If we are forced to live on threats and if the hon. Members of this House think they can exist and get things by threatening others, then they are heading for a crash. If they have to threaten "Do this, do that, or you will pay for it" what are you going to be? Are we blind men? We are not going to be anything by methods such as this. We have the full mandate and full support of the people who elected us to this House to express their views and we can never be scared out of us from this position.

If it is the wish of some people to detain others this does not frighten us. Let me make it quite clear. Manyan exists, but let it be known that some of us are prepared to fight for the right to express the opinions of the people who elected us in this House, whether it means us

[Mr. Shikuku]

going to heaven or hell. If people want their petitions put to the House, that we are prepared to do. Some of the hon. Members should go back and do a little English continuation work in the evening.

The Speaker (Mr. Slade): To whom are you referring?

Mr. Shikuku: Not to the hon. Member who has just spoken.

Mr. Speaker, Sir, I feel that threats cannot lead us anywhere. I would like to make it clear to you that we are all here to work for the good of the country, and no amount of threats will ever move us from that position. If you put me in prison for seven years I will only be about 39 years of age, and so the prospect does not frighten me.

Mr. Speaker, I beg to oppose.

Mr. Kiprotich: I thank the Minister for Finance for his well-words Estimate of Expenditure for the year 1963/64. Most of the Members of the Opposition side think that the Kenya Constitution provided for the regions to be established at Lancaster House by their god, or by some other authority—I do not know. Anything which has been made by human beings must be able to be amended by those human beings. Mr. Speaker, if the regions require waiting on every minute I am sure that none of the people in them can be working very hard. A man can get what he requires by hard work for the benefit of this country. I do not know why so many of the Members are mentioning the "country"—they are forgetting their *Majimbo*. The country is their own country, but they do not seem to regard the whole country as their own and are interested only in *Majimbo*—

The Speaker (Mr. Slade): Do you want to carry on with the point about *Majimbo*?

Mr. Kiprotich: I will leave out *Majimbo*, Mr. Speaker, thank you. I, myself, do not like *Majimbo*, and wish that, even today, the present Government would scrub it out and in so doing they would make me very happy.

The Speaker (Mr. Slade): You are repeating yourself on the subject of *Majimbo*, Mr. Kiprotich.

Mr. Kiprotich: I am very sorry to be repeating myself, Mr. Speaker. I apologize for doing so.

I think that some of the Members are dwelling too much on the subject of education, especially the Member for Machakos, Mr. Ngeli, who states

that most of the people are very poor. He himself has no regard for those people who are suffering as he suffered himself. When he was released from detention he called himself a "Nationalist" and after he had succeeded in getting what he wanted he forgot the poor people whom he was supposed to be representing. If there were so many poor in this country there would not be so many businesses owned by individuals, so many 11- or 12-roomed houses—people who can afford such things cannot be poor. I do not think there is any really poor man in this country. I wish the person to whom we are referring was in the House at the present moment to hear my remarks.

Turning to the question of the Army, Mr. Speaker. Other Members have spoken too much on the subject of the Army. The leaders have done absolutely nothing for the Army, for the education of the people who elected them in the past. The present Government is going to do its level best to see that people of all tribes will receive education. When they resign from the Army they will get better positions in addition to their own pensions. Normally, in the past, when they resigned they have become workmen—I assure you that the present Government is going to do its best to ensure that everybody gets his fair share of opportunity.

"Wait and wait" is the slogan of many in the Opposition. These "wait and see" delaying tactics are not agreed to by Kanu as the present Government. We would have everything go as fast as we possibly can make it go. We would assure the public of this country that we are for them, the public, and not for ourselves.

Mr. Speaker, I would tell the Opposition that there is no need for them delaying business in this House. They should tell us what they want—it would be better for them to approach the Minister concerned when they will be told exactly what they want to know, instead of wasting time in the House.

Mr. Speaker, I wish to support the Expenditure as stated by the Minister for Finance.

The Speaker (Mr. Slade): It is not Parliamentary to refer to the speech of any other hon. Member as nonsense, and also it is not correct for hon. Members to refer to any other hon. Members' speeches as a waste of time. There may often be time-wasted-by-speeches in this House, but each Member who speaks will believe that he is not wasting time, and should be respected for that belief.

Mr. Kiprotich: Mr. Speaker, I apologize for using the words "nonsense" and "waste of time".

Mr. Pandy: Mr. Speaker, Sir, I would like to take this opportunity of congratulating those hon. Members who have made their Maiden Speeches in this House. If they have been controversial one appreciates the fact that it is difficult for most of them to avoid the controversies of the issue which have been dividing the House for some time now. I would like also to congratulate the Minister for Finance for the able manner in which he has presented the Budget to this House. It has been, under the circumstance of today, the saving of the country. This does not mean that there are not many aspects which do not bear criticism. I propose in the course of my speech to refer to some of these in greater detail. I would like to thank the Ministry and those officers who have been concerned with the production of the excellent Economic Survey for this year, which, I believe is a correct appreciation of the problems as they exist today. I must say that they have very courageously and squarely faced the issues, and I was very pleased to see the reference made to the problem of unemployment on which many hon. Members have spoken in this House. I would like to say that we have been concerned with the lack of proposals in the Minister's speech as to how his Government wished to deal with this very serious problem.

[The Speaker, (Mr. Slade) left the Chair]

[The Deputy-Speaker (Mr. De Souza) took the Chair]

It is not that we have not any proposals on this side, but I feel that the Government should be given an opportunity to submit its proposals and then for us to make suggestions in the light of what they have to say. I hope, Mr. Deputy Speaker, Sir, that before this Budget Debate is concluded some of the speakers—and I hope the Minister himself—will give us some idea of the proposals they have in mind for tackling this very important issue from the standpoint of the country as a whole.

They must also, Mr. Deputy Speaker, take urgent steps to see that Capital Expenditure is increased, particularly by attracting investors from outside this country. While I know that is very much in the minds of the Ministers, particularly the Minister for Finance, I hope that we will give attention very soon, in this direction. A lot will depend on how we wish capital to be attracted to this country; a lot will depend on our friends in the Government opposite to create the necessary conditions of confidence and stability which have been lacking for the past two or three years.

Mr. Deputy Speaker I wish to pass on to a matter which has been raised by several hon. Members—I am referring to the question of the increase in school fees of most of the schools. I know that most of the hon. Members have already objected to the increase in the boarding school fees for Africans. I do want to support them on this, but I want to go further and I want to state that I protest very strongly at the proposed increases in the primary school fees of the non-African schools. I think that the hon. Members know that these fees have been increased by as much as 75 per cent. I do not want the hon. Members to misunderstand and think that I am raising a racial issue. I know more intimately than many here the problems of the non-African schools, and it is by reason of this that I raise the issue that the raising of the school fees must be in relation to the ability of the people to pay those fees. I think the Government could have done with other economies in other departments than to have raised the school fees. I personally feel it will be impossible for the people to provide education for their children if these things are increased to the extent that is mentioned in the Budget statement of the Minister for Finance. But I am a little more concerned Mr. Deputy Speaker, that along with these proposals the Minister has also suggested a cut in grants to schools, particularly primary schools, from 80 per cent to 40 per cent. I was a little concerned about the secondary school reduction from ninety to eighty, but I think the more serious cut is from 80 per cent to 40 per cent. I know, Sir, the community that is running these schools will not be able to afford to pay off this burden and that the only alternative will be to close down the schools, and it will be a sad day, Mr. Deputy Speaker, because we want more schools in this country and to have to close down schools which are well equipped and have very adequate staff because we have no finances to pay for these teachers or to pay for the many amenities that are provided, I think would be unfair. I am particularly addressing these remarks, Mr. Deputy Speaker, I realize that this Government to fight the elections for the Party promised free education. I realize that they cannot provide it within the short time that has been at their disposal, but I would have been satisfied if they had not taken this drastic step of increasing the school fees at this time when they promised free education for all the children. This, Mr. Deputy Speaker, is the crux of the problem, that we should have seen within a fairly short space of time that they had lived up to their promise of providing free education. On one side they talk of free education and on

Mr. Pandy] the other side they are increasing primary school fees, which makes us doubt the intentions of this Government.

The Minister has just come in and did not hear my previous remarks, which were quite complimentary. I have no quarrel with the Minister for Finance for increases on duties upon motor-cars and taxis. They were indeed expected. He has said that they will be introduced when desirable. I think he should make more use of the Budget time to introduce some of these things. Now, Mr. Deputy Speaker, I welcome, and now that I say that I welcome, perhaps the Minister will not interrupt as often as he has done before, the Minister's decision to give protection to local industries. In the development of this country such measures are desirable and I am glad he has looked into this aspect, to support these enterprises which want to invest in this country, and are confident in this country. But, Mr. Speaker, at the same time, we must remember that such protection should not mean a lowering of the standards of quality that we have been used to in the various goods that have been circulating in this country, and that the prices should be reasonable in the interests of the consumer. For I know, Mr. Deputy Speaker, there have been one or two instances of industries which have only recently been established and they are not providing the wide variety of ranges that we would like and yet all they are protected. But it does not help people in this country to give protection to those industries which are so far not giving the necessary quality or the necessary quantity in the interests of the consumer.

Mr. Deputy Speaker, I must go through very quickly, my time is very limited. I must refer very quickly to some of the items that have been increased. I declare my interest and that is why I probably know more about the effect of these increases, but the Minister, I think, would appreciate the criticism of loyal people for some years, and I believe that at this time particularly when it is likely to be wise to put duties on some of the items, I think would mean this very necessary activity, particularly in the private sector, and although I have supported the protective measures, I feel, Sir, that some of these items we should probably have another look and see if we cannot take off these duties, particularly that part of our activities which has been neglected by private investors for the last two or three years should be able to revive its full force.

Mr. Deputy Speaker, I would like to leave some of these other matters which I would like

to raise, but due to lack of time I would like to go straight and refer very quickly to the speech by His Excellency the Governor at the opening of this National Assembly. I am sure the hon. Members would wish me to thank His Excellency for that speech and I think to congratulate him for his magnificent contribution to the Constitutional Development in this country leading eventually, I am sure, to independence as has been promised by the end of this year. He has right from early this year taken a very personal interest, and it has been, I think, due to his drive, energy and initiative and determination to see this country, as quickly as possible, to take its rightful place in the Commonwealth, that today's position has been achieved. Of course, I must acknowledge the co-operation of all those people in the Coalition Government of some months ago, but I want, Mr. Deputy Speaker, particularly to refer to the remarks, and I want the Government side to take notice of the valuable part of the Opposition can play in Parliament and I can assure the hon. Members on the other side, that we on this side mean to be constructive in our approach to the problems of the day. We are looking at them from a national point of view, at the same time safeguarding and preserving the rights of the individual and we must accept that this is one of the important tenets of democracy, so let us not be accused, as some of us were accused yesterday, of trying to use delaying tactics. I can assure the hon. Members that we do not mean to delay, please do not misunderstand us, but we want to play a leading part in the furthering of constitutional progress in this country and let us not be challenged or threatened to abolish this very basis of the regional pattern of this Constitution, but let us get together to think of the other tasks that lie ahead, and to see that in many matters we can reach agreement, and that when we have reached agreement, let us not try to divide ourselves, and we will speak as Opposition on the issues that we believe we must express to this Government, and it is our freedom to express our opinions in no uncertain manner, and I trust that the Government will respect our views, will give us a good hearing, will accept that we are sincere in our approach to the country's problems, and that we are as loyal to this country as anybody else, but that if we disagree, it is a matter of policy and principle, and this is the foundation of the rights of the individual in a democracy to express his opinions freely and let us make a success of this Parliament of ours, which is going to be the first Parliament for independence in this country. Let us show to the other countries that we can, given the good will, and I know there is a lot of it, go better.

[Mr. Pandya]

sides, we can overcome party differences and give our services in the interest of this country as a whole. Mr. Speaker, Sir, I beg to support.

Mr. Malsori-Itombi: Mr. Deputy Speaker, Sir, I was not meaning to speak on this particular Motion, but because of the other speakers, especially from the opposite side of this House, made me not to tolerate what has been said and I felt that I must rise and say something and give a comment on the Motion. Mr. Deputy Speaker, I must first of all congratulate the Minister for Finance for his tremendous work which he has done for the present Government of Kenya, and I must also pay my tribute to the Right Hon. His Excellency, Mr. Jomo Kenyatta, the first Prime Minister of Kenya, for all he has done for Kenya during the campaign to enable the country to reach the stage at which it is now. Everybody in Kenya has been waiting very anxiously to reach this present stage.

I know that my hon. friends on the other side of the House that their objects and motives have been to prevent the progress of Kenya. It can be proved by their signs, political symbol, and especially their attitude on the Budget. This Budget now which is in the House has been complicated by the hon. Leader, former Leader of Government Business, later Leader of the Opposition, so many names, present Leader of the Opposition. I think that it is now the rank he deserves for ever. I remember yesterday when he was speaking he touched the point of the Government not giving regions enough money to run the works of the regions, but, Mr. Deputy Speaker, I remember that in the Estimate Book of the report, the Minister for Finance has put, or estimated, about eight million shillings in the regions. That is found in a certain page in the Estimates, which amounts to £400,000, which, of course, is going to grant a lot of expenses to Kenya. Of course, none of us on this side, Mr. Deputy Speaker, want unnecessary expense. People have mentioned on the other side that schools were not erected; in Kenya, I mean the Government does not consider education according to their manifesto, they say that it is the Members on the other side who have been pressing for this regionalism. Of course, it is only that we are happy on this side of the House that we are now in great majority. I am not ready to show the animal the rope, but I am glad that any time in the future we shall get what Kenya is expecting to have, of course, this is not the time yet, but I am glad that I am not ready to show the rope to the animal.

There are so many unnecessary posts created especially like Presidents of the regions, and a lot of others, different small groups claimed to be *Majimbor*, which, of course, are not in Kenya, and when they had recently the meeting concerning the East African Federation, I and everyone in Kenya heard them complaining, trying to prevent progress. They are not working for the unity of Kenya, or the progress of the Africans, but I would rather call them someone's "Stooges", "Gramophone", just singing because someone is winding them up somewhere. They are interested in nothing in Kenya, they are not here for the welfare of the Africans, but they are here for the sake of someone else—

Hon. Members: Who?

Mr. Malsori-Itombi:—I don't know. When the hon. Minister from this side of the House took over to go overseas to fix the date for independence I think everyone in the country heard how many complaints had arisen from that side of the House. The Leader of the Opposition, the right rank, he was singing that it is a waste of money and a waste of time. Mr. Deputy Speaker, I think that nobody in Kenya, especially Africans, nobody is with them. The people themselves have elected the present Government. We have known that they are doing something else for the sake of someone and I am sure that nobody is ready to listen to whatever song they are singing. They have sung the song of East African Federation, they demanded joint discussions. Nobody answered or replied to whatever they said, we do not care about them. Again, now they are singing about the hon. Member in London and nobody has ever listened to whatever they say. Of course, he will say so many things, even what they said yesterday. Mr. Deputy Speaker, I would request the present Government that I highly suspect the reporters in the House.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

Of course, they can only take serious actions of the Opposition. Many Members spoke from this side yesterday, but when I was reading the paper this morning I could see practically nothing mentioned except that the Leader of the Opposition said this and that, especially in the two papers *Taita* and the *Nation*. Are we going to consider these papers, because I think that they are imperialist. Well, we do not care for threats or intimidation, we do not care but we must speak the truth and I am sure tomorrow we shall only see the wise Leader of the Opposition the

[Mr. Malsori-Itombi]

hon. *Bwana Mashamba* singing on the front page again. That is what I am expecting to see tomorrow on front of the paper, "this is what Ngei said and that is what Ngei said", and we are really annoyed with the way things are taken in Kenya, but we in the Government are in the majority and we do not care whatever is reported in the papers or what they are saying on the *Majimbo* business. We do not care because we know we are not going to show the animal the rope: there is a time when we shall show the animal the rope. We know them, Mr. Speaker, Sir, I wish the Opposite side would consider that this is the time when Kenya does not need advocates, someone to come to advocate or someone else who is under shadow. Already they informed their Shadow Cabinet, that is, of course as I have said before, a place where they have to stand, but to be used as stooges for so many times—

The Speaker (Mr. Slade): Mr. Malsori, you were a Member of the Legislative Council and were here long enough to know what is accepted and what is not accepted as parliamentary language. Please set an example to your new colleagues.

Mr. Malsori-Itombi: Mr. Speaker, I am sorry I did not address the hon. Members, as hon. Members, but in future I will address them properly.

Mr. Speaker, their aims were to unite the two parties and kill Kenya, but they were defeated. And now, I want to congratulate the hon. Minister for Finance for the tremendous work he has done and I think we are going to run this first Kenya Government very efficiently, in order to show the public that Kanu was the party which was to come into power. The right African people who are to lead the country, and we are not afraid of the Opposition's threats and intimidations of sharpening their spears, blowing their whistles and all the other steps that they may wish to take. Thank you, Mr. Speaker, for these few remarks. I beg to congratulate the Minister for Finance.

Mr. Ndile: Mr. Speaker, Sir, hon. Members, I have listened with great interest, to a great deal of the speeches that have been made, and I think that we be proper on my part, to declare once that we on the Opposition side regard ourselves as true nationalists. As nationalists, we are fighting for the interests of the people in this country. We are aware of the major problems in Kenya. The problem of poverty, disease, hunger and suffering, and we stand as a symbol for the

African masses, who are struggling to improve their standard of living. I take this opportunity, also, to tell the Government that I was a little disappointed. I have been looking for a time when we, the Elected Members of this House, would work with one aim, to better the standard of our people. I am a little sad when I do not see much of the sort of socialism which has been longed for, so long, come into being. I think the idea of socialism—I would not call it African socialism as the Government side has called it—I call it socialism in an unqualified way. Socialism as conceived by Plato, means fair distribution of wealth for all, regardless of class, colour or creed. And it is this kind of socialism which we must work to establish in Kenya. We have some basic problems in this country, for example, the problem of education. I regard education as one of the fundamental rights which should be enjoyed by all children in this country. We must put these fundamental rights, and read them, in our Constitution. If we look into the pattern of the Constitution in England, we find that education is guaranteed in the Constitution, and that education is a compulsory item in England, and we must work for the same thing here in Kenya. We must have compulsory free education, which is only advocated by Kanu as a means of propaganda to get more votes, but we must actually get in actually and the more rooted in our Constitution so that all African children, and those of other races, should enjoy education as a free right, and unless that is done, most of our people will remain unsatisfied.

What are we doing? I thought that the Minister for Finance could have brought forward a five-year plan whereby we would have cultivated local industry with a view to providing employment for our people. He has not done that, instead he has given us a cursory estimate for a Budget. What we need is to review the problem of unemployment in the country, but we cannot reduce this unemployment unless we create opportunities for the masses who are not employed at the moment to have a chance to work in factories, etc., and so make a living for themselves and families.

I have been wondering what would be done about health services. Kanu promised, before the elections, that as soon as they came into power and formed a Government they would establish free medical services. This is known to have been one of Kanu's instruments during the elections. What we need in Embu is more hospitals: not only in Embu, but everywhere throughout Kenya in every region and district. Medical services should be set up throughout the regions and these

[Mr. Ndile]

services should reach through every corner in Kenya. In my own area many people are suffering and dying; they do not even have clinics or health centres. They are all afflicted with disease. I have been round in my own area and have found that it is true that many people are dying before they can reach a hospital or clinic. It is the duty of the present Government to provide more health services, more hospitals with which to reduce the mortality in Kenya. Unless that is done I am afraid the masses will suffer and it is our duty to do our bit to see that medical services are increased and health services are increased and everyone has the chance to benefit from free medical services.

Now I come to the question of large salaries. This is a very serious business. When the British were here we talked about wanting to reduce high salaries, the superscale salaries, but these salaries are still enjoyed by many of our people. Our Ministers still cling to their large salaries. It is the duty of the present Government to reduce these large salaries paid to the Ministers and other Members of this House. In this way we will be able to afford to have more of our children educated. I am not making this demand because I am not a Minister—but we must be realistic. If we can afford to eat off tables in our homes, why should we be so selfish here in the House? We have to cut down our standards, and this must start with our own allowances so that we can prove to the masses that we really represent the interests of the masses. Unless we do that we will only be deceiving ourselves.

The other thing I would like to touch upon in connexion with the suggestion made by the Minister for Finance to reduce some things and this I consider necessary. For example, we have to reduce the police force. We want more education, and we cannot have a very expensive police force, so that has to be reduced so that more money can be spared for education. We hear very much about these things. The time has come when we should talk about regionalism. It is not any good at all to ask us to go back to our regions when we have asked for something and have not received an answer to our questions. Those regions depend on the Central Government. It is no good telling us that the regions do not exist. They exist and they are there. Some of us are actually not responsible for them. It was the Kaniu group that created the regions.

The Speaker (Mr. Slade): As you said yourself, we'd better not talk much more about that.

Mr. Ndile: So I would think that actually in the future you do not speak more about indi-

viduals, you take that policy because you created them, and you should finance them so that they work as another local government authority. Another point is the question of land properly. Our people have been looking forward to this time when actually land is being distributed. There is some land which is under the Crown Land Regulations and it is the duty of the present Government to abolish the Crown land so that more land would be distributed to the landless, and unless that is done our people will not be helped. It is the duty of the Government to do something about land problems, so that the land hunger will be minimized. I appeal to the Government to see to it that some of these Crown land rules are relaxed, so that more land can be given to the landless African. It is in this Council that they can be repealed, they can be changed. So, Mr. Speaker, Sir, I think that it is no good lowering the standard of our debate here or rather thinking that anything from the Opposition should be set aside. We should take what is good from the Opposition, we should also listen to what is good from the Government so that we can work in co-operation and produce a better Kenya for all people. We need all-round improvement economically, and otherwise, and this can only come from people who are working side by side and not from people who are working like enemies. We must try to better the standards of our people, and I believe we have the will and the brains to do that if we come together and work in co-operation. We can still improve the standard of our people.

Thank you, Mr. Speaker.

Mr. Bomett: Mr. Speaker, Sir, I should like to congratulate the Minister for Finance, for the fine Budget which he has given to the country. There are one or two things that I would like to point out. In the first instance I should like to mention some of the things which were put across by the Members on the opposite side. All this afternoon and yesterday they have produced nothing constructive at all, in fact none of them have suggested ways of getting more money to finance and give the services that this country requires. Indeed, it is the duty of the Opposition if it is a constructive Opposition to suggest ways and means of raising more money for the country, and so far we have heard nothing but criticism which will never hold water.

Now, Sir, coming to the education, I think that this country ought not to have been divided into separate regions, instead it ought to have been divided into two parts, the ones that have been neglected and the ones that have been privileged.

[Mr. Bomett]

When I talk of that I mean areas such as Turkana, Baringo, Masai and many others which have for many years been left unattended by the Imperial Government. I feel that this Government will devise a way in which these people who up to this moment have been cheated by the Members of the Opposition that they will get something from the regions and instead they should tell them that they are working not for these poor and neglected people but they are working for an invisible master, that they know themselves. Mr. Speaker, Sir, the attention of Kenya and this House should be turned to unfortunate districts which have been greatly neglected. We have got very few schools in these parts, such as Baringo and Elgeyo Marakwet, Turkana and other parts. The regions give nothing to the poor but to those that have. It is a means of protecting the richer but not a means of protecting the ordinary African in the bush. (Hear, hear.) Mr. Speaker, Sir, I think that a commission should be appointed to go into the educational needs of the people that I have already mentioned. Because at the moment our system of education is only good in places which have been developed. I say this because even if we built schools in these areas and good schools too, the parents do not normally want their children to go to school, and therefore we come up against a very difficult problem. What shall we do? It means building the schools and at the same time subsidising fully so that the children go to school even by force if necessary. Because we know these particular neglected regions have been, Mr. Speaker, Sir, the targets of the imperialists, they have propagated through this unfortunate group so that Kenya is now divided. (Hear, hear.) It is indeed, Sir, my belief that in the case of the opposite side criticizing unnecessarily they should think very carefully of what we are going to offer these brothers of ours. Mr. Speaker, Sir, I should like to come to unemployment. This is a serious problem which has created a lot of trouble and problems and it is indeed a problem which was deliberately created by the settler government of before, and Mr. Speaker, Sir, I feel that we could have more industries in the country to combat this problem. I do not see any reason why we should grow cotton and export to England to be processed there whereas there is someone in the Rift Valley sitting without any employment. I think that this is something which must be thoroughly gone into. Similarly on the industry side I feel we should have our own paper factories for the requirements of Kenya. We have plenty of forests in

the country; we can make our paper without importing any. Sir, I should now like to touch on the Army. It is so unfortunate that politicians have tried to inject politics into it is the duty of this country. And I feel that it is the duty of hon. Members of this House to refrain completely from trying to create any feeling within the Army or the Police that may result in reducing their loyalty to this country. We feel that it is you people across the road who are doing it. (Hear, hear.)

Mr. Alexander: On a point of order. I must refute the allegations that have just been made, that the hon. Members on this side of the House are deliberately influencing the loyalty of our security forces. Can this be substantiated?

Mr. Bomett: Yes, Sir.

The Speaker (Mr. Slade): Did you imply that?

Mr. Bomett: I did, Sir.

Mr. Alexander: On what grounds?

Mr. Bomett: It was in the paper, Sir, that most of the members of the Forces came from the Kalenjin and the Kamba.

The Speaker (Mr. Slade): You mean to say that the Members of the Opposition are deliberately trying to influence the loyalty of the Armed Forces? Mr. Alexander asked if you had implied that. I am asking you if you do imply that. I will need more evidence than you have given so far if that is what you imply.

Mr. Bomett: I do imply that.

The Speaker (Mr. Slade): You do?

Mr. Bomett: No, Sir.

Now, Sir, coming to newspapers, I should like to touch on the papers of this country. A democracy can only be built in a country where the newspapers of the country help the democracy and not hinder it. The papers of this country up until recently—they have changed their tune of late, but that is not enough—have not tried to report constructively. The papers must try to report constructively and report the things that go into building a country and not destroying it. I think the papers have been reporting much of the disunity and not the unity in the country. Mr. Speaker, Sir, I appeal to the papers of this country to help us to build a better Kenya where everybody will live in peace and in prosperity.

Mr. Speaker, Sir: something on the land. I think that we must consider the question of land which is in the forest areas and controlled by the Government. It is a pity that we talk here saying

[Mr. Bonetti]

They haven't money to finance this and that whereas the Forest Department burns down good pastures every year just because someone who has a big farm does not want the African cattle to go across and that grass. It is really a pity and I think it should be rectified.

Mr. Komora: Mr. Speaker, Sir, and the hon. Members of this House, it seems to me as if the Leader of the Opposition and his colleagues are very much concerned with the public funds, with the public money, but yet, on the other hand, they do something else. Thousands of people in this country are very poor, as someone mentioned somewhere, and indeed this is very true. He says the Somalis, and other people of this country are without water, and this is very true. He is making an appeal to the Government about such things, but what are they doing aiming at a target between the local government and the Central Government.....

(Inaudible) which the Government are not using for those things. Everybody needs higher education, everybody needs good medical facilities, everybody needs a good road, but this target which is between the local authority and the Central Government is absorbing the money and the Government is incapable of getting ahead with its proposals.

I should very much like to thank the Minister for Finance and his staff, for having worked very hard, and presenting a very good Budget before this House, and I believe most of the people in this country and other people overseas, thank him also, because they know, and see that Kenya has got very many things which need to all these things. How the Minister for Finance has worked out the Budget is most satisfactory, and the Opposition side has nothing for which to blame the Government at all.

One thing I would like to make clear is that the hon. Member for Kilifi South, Mr. Ronald Ngala, has been a Member of this House since 1956, and in the first time he was elected by my own people in Tana River, he never did anything, and you can recall perhaps again in 1961, all that area was flooded completely, we had to get food from the Government. Until now we have no food and one other thing—it concerns the same Member, Mr. Speaker, Sir—from that time until now he has done nothing for the people in this country. What he feels is that we should go behind me, and then we will get control over our own fate and leave the Central Government alone. Which is very wrong, and I should think that he should be left completely alone. If my

people could be here, they could see this hon. Mr. Ngala and his Deputy President in the Coast also, and yet they could not even offer a seat, a little seat, a very small seat, to Mpakomo. They were afraid that if Mr. Kenyatta should rule they would have nowhere to stand, no good employment, all the big posts would be taken by up-country men, they would be very hungry in our land, and so on and so forth. What is he now doing by neglecting our people, without offering even one seat? He appeals that he wants to represent everybody, and yet one seat to the Orma and the Wafa, and they are people living in this country.

The Speaker (Mr. Slade): The composition of the Regional Assemblies is not relevant to the Budget.

Mr. Komora: Mr. Speaker, Sir, but this is a thing worth mentioning, because it concerns the spending of the Government's money simply because it is in between the things that they want to do, and therefore I should think this is to be left alone. Thank you, Mr. Speaker, and the hon. Members.

Mr. Kase: Mr. Speaker, Sir, when a Specially Elected Member stands here and says that his people have no representative, who elected him? I am sorry to hear those people referring to their people, it is wrong because they do not represent anybody.

When we think of the Budget talks on Famine Relief we must remember that ninety nine per cent of the people in Tana River are dying today of famine, and he says that Famine Relief is wasted. These things were realized long ago, and nothing has been done about it yet. People are dying there, and then you do not give much money to the Coast and say that you are giving money. This must be realized, that it is not enough and his propaganda that was given out to the people during the Elections. We have come down with ideologies in our heads, we are convinced of something, that something which we are following. We are not going to cross the floor because we are true men. No, if that is the case.....

(Inaudible) because the others are huge, the others are small, but because they are convinced that they can do something, that is why they stand up. We are not going to cross, we are few, but we shall not cross.

I would like the Minister for Finance to tell me something. I have seen the Tana River basin. I am very suspicious of it. It was started back in 1955, and the few people who are left there are dying of hunger. This time if the Minister for

[Mr. Kase]

Finance has put that in order to give the region to other people in other areas we are not prepared, we must have the local people there, and if the Tana River Basin is going to be surveyed in order to settle people, the people from the area must be the first to be settled, and not the people from other areas.

I am not saying it to be hot, but I am trying to speak facts, it is not what happened years ago, it is what we want now. We were told, people knew very well that regions were going to exist. Knowing that they were going to exist, you promised free education, now give them money so that they can have the free education. It is not a matter of recreating, you are now in the Government. We go to those people to whom you promised free education, and we tell them that the Government elected last week is the one that will not give them free education. They do not blame the Opposition, they blame the Government. The Government which is here today, took part in that conference, they agreed to it, they knew it, they liked it, it is no good telling us here that they did not like it. We do not want to be hot tempered here, but I think it is time that the Government, or the people on the other side who are sitting there because of either one thing or the other realized, they do not know why they are there.

As I said before, we are not going to cross the floor because we have something in our heads. We shall stick to it, but it is time that you gave the necessary money that you have promised. The people in Mombasa were promised higher wages long ago, today we have over eighty-five thousand people dying of hunger, they have no jobs, nothing.

We have a Minister for Economics, he is there, it would be better to decrease all these Ministers, only eight are enough, not sixteen, Parliamentary Secretaries, one Minister we have two, Parliamentary Secretaries, one would do. First decrease the Ministers and the Parliamentary Secretaries, and we shall find that we have enough money to give the people who are dying. Let us even increase the tax on beer. I support the man who says that, people go drinking beer and they drive dangerously and they spoil our roads. Tax the people who go on drinking, not the people who work in education. You say that education is the work of the regions. Why are you taxing it if it is not your work. You have raised the school fees, and if it is not your work why do you not give it to the regions, and tax here in Nairobi.

The Speaker (Mr. Slade): I must ask the hon. Member to address the Speaker.

Mr. Kase: I am serious about this, Mr. Speaker, it is something which these people do not realize. When they find that they are now there, they start finding excuses. You follow a road and then I heard him say, "So-and-so has misled me." But you were committed to something, and then you blame the Opposition for not being constructive. We are being constructive enough, and if we were not being constructive we would not have been elected here. Some of us, in fact, oppose it. It is something which must be realized. If I was not constructive I would not be here, Mr. Speaker. I hope the Government is not going to find excuses to the various problems. All they have to do is to settle them, and we are here to see that they do that. When we open the road, we are asked by the people, "Look, you come and drive." Who said that we do not want Majimbo? If we do not want Majimbo, why have we elected a President here. This is something, Mr. Speaker, which people must realize. If they do not want this, let them send all their Members away and they will dig in the hole.

Thank you.

Mr. Kibuga: Mr. Speaker, Sir, I beg to thank the Minister for Finance for presenting a Budget that has been so balanced and so good that the Opposition has failed to correct even a single part of it. All that they are doing is to bring their own mistakes to the notice of the Government to correct. They are talking of unemployment. Did unemployment start this year? Unemployment started when the hon. Mr. Ngala was the Leader of the Government. What did he do? It was the time when that Government of Kadu was mis-governing, and as a result most of the money in the country started to drift away to other parts, and then later on there was the Coalition Government mixed with Kanu, and as a result of that things were improved. But, of course, even though the Kanu members in the Government tried to correct things, the Kadu members who were in stopped everything.

Now, as a result of creating all those problems, when the Kanu Government had started, and has appointed a good Minister who has presented a good Budget, you will again present your old problems. You are now realizing that what you created regarding tribalism. You told people that the people in the regions were going to rule the poorer regions, and as a result there was fear in your regions, and later on they wanted to separate themselves, they wanted the small governments to form themselves. You wanted so many governments and not one Government. You claim that you want to control all the regions—

The Speaker (Mr. Slade): Mr. Kibuga, who is this "you" to whom you are referring?

Mr. Kibuga: Mr. Speaker, I beg to address the hon. Members through you. However, the hon. Members opposite created a fear and as a result there was no money in the country, and now that the Kanu Government is trying to correct things, at the very beginning they are beginning to make trouble, they are making difficulties and criticisms, except from two Members of the Opposition, they are the hon. Mr. Pandya and the hon. Mr. Ndiile.

Mr. Pandya: On a point of order, is it proper for a Member to imply improper motives to a Member on this side?

The Speaker (Mr. Slade): I would not say it was improper motives for one party to suggest that a member of another party contemplates joining his party. He might even regard it as a compliment!

Mr. Kibuga: I would ask those hon. Members to cross the floor so that they can produce some constructive ideas. The others are trying to criticize the Minister for Pan-African Affairs and the Minister for Local Government, yet on the other side, Mr. Speaker, they are complaining that some areas of the country are poor and they want help from the centre. How are they going to get help from the centre if there is no Minister for Local Government to look after those parts? You claim that you want a federation of East Africa, yet on the other hand you say when the Ministers go to Tanganyika and Uganda, you say that they are wasting time.

The Speaker (Mr. Slade): I have not said that.

Mr. Kibuga: Sorry, Mr. Speaker, the hon. Members say that the Ministers are wasting time, so they either support the federation or they do not support. If they do not support the federation, Mr. Speaker, how can it come if we keep quiet and the Ministers do not go to those countries and try to create some understanding. The Minister for Pan-African Affairs is there so as to create an understanding between the African countries and as well to see that our young generation is educated. We are able to send some of our children to other African countries to be educated, but the Opposition is all the time trying to create misunderstandings between those countries. How will you get help? How, Mr. Speaker, do those countries expect to get help from those countries and yet them to help one another, if they do not support Pan-Africanism? They either support Pan-Africanism in words and actions, but not words alone.

There was one of the Members on the Opposition who spoke about the Vatta Irrigation Scheme. I hope you will ask your people to forget about regionalism so that the Central Government will try and distribute money throughout the country regardless of what tribe is leading the country. However, Mr. Speaker, if the hon. Members on the opposite side continue to divide the country, and they say that only people in a certain part of the country should control these things, and they should be ready to meet the expenses. So, Mr. Speaker, I would ask these hon. gentlemen on the opposite side to try to be a little bit more constructive, and produce something that can benefit their country.

If they are really sincere in wanting to help the African country they should try to produce something sensible, but not simply criticisms for the sake of criticisms. I think, Mr. Speaker, this is only the beginning. The hon. Members on the opposite side claim that the Kanu Government, or the Kanu Party, promised the people that they would get free education, free medical treatment and free other things. That is true, but, of course, they cannot expect, Mr. Speaker, to get everything overnight. All they need is a Kanu Government which is going to be efficient, and it has proved how efficient it is going to be by the way you have produced no corrections, apart from destructive criticisms. This Government, with efficient Ministers, whom you are criticizing, will produce the conditions in the country so that free education will come in the end. Of course, it is true that we want land to be shared with the needy people, but on the other hand, you need to give the Government—you, the Opposition—enough time to plan and to produce the ideas. This is only the beginning. After a year then you should ask what the Government has done. This is only now the beginning.

The Speaker (Mr. Slade): If you cannot address the Chair you will have to discontinue your speech. You must not refer directly to hon. Members opposite as "You".

Mr. Kibuga: Thank you, Mr. Speaker, I hope to follow that. I hope that the hon. Members, Mr. Speaker, will not get disappointed because of the increases in some places. It is not because the Kanu Government is racial, that is not the reason why there are increases in non-African schools. The reason was in those schools, the distribution of the money of the Government was not equal. The non-Africans received more contributions than the Africans. As a result either the first Kanu Government starts to withdraw some of the grants from the non-Europeans and arranges these fees, it is not

[Mr. Kibuga]

because they want to discriminate other races, it is because they want equality in the country, as the Opposition Members have said. One of them has suggested that the word "socialism" and the words "equal distribution". Those are very good words, Mr. Speaker, and I hope, Mr. Speaker, they will give the Kanu Government time to do that, but this is only the beginning. The mistakes that have been made by the former Government, and the Government which have passed, will be corrected.

I wish to thank the Government for starting to take action immediately, because it was only yesterday we learned that the Prime Minister has already abolished the post of Chief Commissioner. We hope that there are many other jobs within the Department which will be abolished, so that we will get our people free education, free medical treatment and socialism in its true sense.

Thank you, Mr. Speaker.

Mr. Mwanzandi: Mr. Speaker, Sir, I beg, first of all to point out and explain to the hon. Member of the National seat, Mr. Bonett, who said that the Opposition did not at all explain how they could get more money. Mr. Speaker, Sir, they have been told yesterday, by the Leader of the Opposition, and it is in my feeling also that most of these Ministries are unnecessary. The salaries and allowances paid to these Ministers, these unnecessary Ministers, should help the Budget of this present Government. We have, in this present Government, unnecessary secretaries, these as well could help with the financial budget. Another thing, there is no reason why these things, luxury articles, this should not have had taxes imposed on them. This should not have been done in order to enable us to get free education and other things that have been promised. People in my constituency are expecting free education. It will be a surprise to them to see that the first fees we opened this National Assembly higher fees were imposed in some schools.

The Speaker (Mr. Slade): You must address the Chair, and you must not refer to Members opposite as "You".

Mr. Mwanzandi: Mr. Speaker, Sir, may I tell the Government that by so doing they have meant to keep the other districts behind as they have been ever since before today. Mr. Speaker, Sir, by so imposing some other fees at these schools we have in our district we have managed to keep them as I have said.

We in the Central Government do not know some of the remote places. We cannot therefore expect every Member of the House to know

something about Moyale District. It is the Regional Assemblies who will know exactly what is going on in each of the districts. You must get more money to help these remote regions and in order to help the Regional Assemblies to run efficiently.

Another point on which I would like to talk is the Settlement Schemes. We want money in our area for more settlement schemes. At Kwale people are suffering from the inadequate amount of land to settle. All the money for settlement schemes is being used in areas which are already advanced in this way. We want this money to be used in those places of which you have taken no heed in previous years.

The Speaker (Mr. Slade): I have had to rebuke you three or four times, Mr. Mwanzandi, for not addressing the Chair.

Mr. Mwanzandi: Mr. Speaker, Sir, may I tell the hon. Members of the Government that they are saying that the Government has only a very little money. During the General Election that there was more money—why is there not the money there today for us to have?

The Budget planned by the Government seems to let down the regions. This is unfair. To let down the regions is to let down the Central Government, as well. It—the regional conception—is one which will help the Central Government—

The Speaker (Mr. Slade): I do not want further discussion about the regions in this Debate.

Mr. Mwanzandi: Mr. Speaker, Sir, may I ask the members of the Government to further consider the question of school fees in some of the more remote districts, and the settlement fees in those districts.

Mr. Godla: Mr. Speaker, Sir, I feel that this House is very happy with the Budget Speech which we had two days ago. Although we have a few people on the other side trying to oppose, or spoil it, they know that they cannot make one better than our present Budget. For that reason we on this side of the House feel that some Members on the Opposition are opposing purely for the sake of opposing, and nothing else. The Opposition therefore puts forward to us questions regarding the supplying of money to the various regions when they know that we do not have regionalism in Kenya. We have one Central Government and my colleague will remember when the Leader of the Opposition told the Nation, during the electioneering days, that if

[Mr. Godia]

he won the Election he would see that the regions were strengthened and given more power. But we, Kanu, said that if we won the Election we would see that we had only one Central Government, and that is what we are aiming at. Our colleagues have been defeated in the Election and they are asking for things here that it is impossible for the whole country to accept. It is expensive to run regions; to run local governments which are County Councils; to run location councils as well as the Central Government.

The Speaker (Mr. Slade): I think that all this has been said already Mr. Godia.

Mr. Godia: Thank you, Mr. Speaker. We feel that the Opposition should help us if they want to build the country by giving us constructive criticism. Of course, in our policy we said that we shall provide free education and free medical services to all people of Kenya. That we said, but we did not say when. We have been the Government for only two weeks—what can a Government do in two weeks? There is no reason why someone on the other side should blame the Government for not introducing legislation on the above mentioned points. The Government is seriously thinking about them. These being introduced will depend very much upon the finances of the country. Someone has already said that he thinks there is a lot of money in the country and he thinks that the Government is holding on to this money which they are not willing to give out. I would assure the hon. Member that there is no money—the only money that we have in the country comes in from the taxes and the Budget Speech which was presented to you by the Minister for Finance shows the amount of money we have in Kenya. There is no other money anywhere in the country. It is up to the Opposition to give us some constructive ways and means of getting money. This they can do by joining Government and supporting them in all their deliberations. One of the hon. Members on the Opposite side suggested that the Government should not advocate any piece of land for landless people. He thought it should be right for people without land. The hon. Member thought that this ownership of large tracts of land was more economical. May I say that these are the things—

The Speaker (Mr. Slade): Order, order. You must address the Chair.

Mr. Godia: Mr. Speaker, Sir, these are the things that bring trouble to Kenya. There is no reason why one person should own a large tract of land while there are thousands of others who

have nowhere to plant their cabbages. It is only fair that the Government considers the allocation of land to the landless people so that each person has sufficient land on which he can grow the best he can. The policy of giving someone with large acres of land more land, is not welcomed in Kenya. That used to be the principle of the Government which used to be in power here in Kenya. However, we feel that the land should go to the landless.

Someone suggested that we could provide more money for the country by taxing beer and tobacco. It is true that tax was increased on these two items only last year, and it would be unfair to initiate another increase on these two items this year. We have therefore to find other ways of getting the money, and perhaps hon. Members could suggest some alternatives, but not those which are impossible. We ought to regard the ordinary working man who enjoys these things and not spoil his work and play by increasing the taxation on these commodities.

Mr. Speaker, someone referring to money said that as the Government was not in favour of regionalism there might be another situation comparable to that of Katanga occurring somewhere on the Coast. I think that such remarks are not good and ought to be refused. When an hon. Member suggests that since the present Government is not supporting regionalism a Katanga situation will occur it is very damaging for the House. I think that such a remark ought to be withdrawn.

The matter of the Constitution is a matter for this House, and the House knows that the Government has power over the Constitution. Although it is something which was signed in London there is no reason why it cannot be changed. One may sign something, but that can still be changed. That is not impossible. The Constitution can be changed. There is no reason why we should think that we have a very rigid constitution that cannot be amended. We are of with the British Government, the amendment of several parts of the Constitution so that they may make the work of the Government in this country easier for everybody. Everyone is coming to the Central Government for money. Most of the Members on the Opposition ask for money for education, free medical services, and for several other reasons. The only money available can come from the Central Government. The Constitution exists although it is not approved of by all Members of this House and therefore we have to consider what is needed to better our Kenya and make our work easier.

[Mr. Godia]

Mr. Speaker, Sir, someone referred to unemployment. Someone suggested that the Government should have considered ways of creating employment in Kenya to help some of our people who are not employed. It has been said that this has been going on in Kenya for many years and the Government has been in office for two weeks, so we are still considering means and ways of getting employment. But when we find somebody on the Opposition with a post here in Nairobi and another in the region he is blocking someone else. This is not fair. Why should he have an office in this Chamber and then have another office in the chamber over there? That is standing in the place of somebody who could make use of that chance. And therefore if Members of the Opposition, the Leader of the Opposition, and the late Deputy President of Kadu, hold all offices here and hold offices in the regions and this is another way of blocking someone else.

The work of the Opposition is to oppose the Government. Now the intention was to try to form a Government but since they were small in number they didn't get it. Now I know that one of them the hon. leader from Ukambani who is now the Deputy Leader of the Opposition was a very strong supporter of this party and he is one of them who is known by the name Mr. Mshamba. I wonder whether I heard properly. Since that time he is with this party, but instead of trying to help this party to form a government with constructive help he is not helping and this is unfair. And these are not the sort of citizens we want in this Assembly. We had better have a better type. There has been a deal of criticism from the Opposition that in Pan-Africanism there is not enough work. Also the Minister for Home Affairs has no work. They have never been in the offices to see how much work there is, they just criticize because they have heard talk from somebody. And, Mr. Speaker, this is not good. If the hon. Member wants to give a good criticism he should go to that office and see the clerk and see the work in the office and talk with the Minister and see if it really is impossible for him to be there, and then come and tell us in the Chamber here what he has seen. It is no good just standing here and shouting that such and such Ministry should be closed. Because we know that when the Deputy Leader of the Opposition was in Government there were about, I think, 20 Ministries and very many Under Secretaries and therefore there is no reason for opposing just for the sake of it. It has been pointed out before that it is quite true that certain reporters

who write in *Taifa* and *Baraza* and other papers do not report correctly. They report from one side. They do not see that their reports should be fair to both sides.

Mr. Choge: Mr. Speaker, before I go ahead I have got to make a few comments on what the previous hon. Member has had to say. He knows very well that the Opposition is here for a special reason and the Opposition knows it very well. And they cannot get across the floor because that happens to be the Government and we are here for the good of our people not for the good of the Government. The hon. Member who has just spoken, Mr. Speaker, knows very well that people like Choge cannot change because they happen to be on the other side. He knows me very well since I was his Chief.

I have got another point again to make, the Minister for Local Government, the Minister for Home Affairs, the Minister for Pan-Africanism—it does not mean that we are against those three particular Ministers, no. But we are anxious to see that the money that they get goes back to help the poor people to whom they mentioned during their elections that they would really help them. Instead of having these three Ministers, Mr. Speaker, we could have a Minister without Portfolio, and that would be all right. Otherwise these three Ministers are going to get a lot of money about 20,000 shillings a month including allowances about 30,000 shillings a month instead of giving to the people in Turkana, Mombasa and other places. There were so many things that were mentioned by the Government that they would do for the people when they came into power. One thing was to correct some parts of the Constitution, another was education, another thing was free medical treatment. All these things have already been mentioned before, but they are now the Government and why can't they do it? That is the question. We are here in the Opposition and we are going to see that the Government keep its promises, unless we say so, that is why we are here. There is another thing again that has been mentioned, and that is the raising the fees in Asian schools and European schools and probably Arab schools. This is the time in Kenya when we should teach the people that we are working together. There is no matter of colour, we are not going to say there is an Asian, there is a European, and there is so and so. But if they have to pay high fees for their children or something of that kind it raises these things in their minds. And even if we go back to their background they are the same as those of our children in the schools. Why then should they pay high fees in the schools and not our children's?

[Mr. Choge]

The other thing is to assure the Government that it is not a National Government as they claim it to be, but a just body on one side because they have shown what they are and what they are looking for.

They mentioned also the poverty in the country, but they have not shown us as to how they are going to give money to those people and as to how they are going to put this across to the regions so as to help the poor people in the country. And this is the duty of the Government. Because when visitors from outside see the poor people they go to the Government not to the regional assemblies, local authorities or what have you. But it is the duty of the Government to see that these people get enough money, get enough food which is the major thing they should have in their lives.

Another thing again, when the Minister for Finance put his report across to us is the water for the animals, we get a lot of money for these people coming to Kenya to come and see the game and all that, but we would like further explanation as to how they are trying to improve this, and how they are going to introduce some other animals that we have not got in Kenya but are likely to live in Kenya. And those animals in other countries, such as the kangaroo. Most of us have not seen a kangaroo, we have only seen them in pictures, now we would like the Government not only to see that there is money to spend on the Ministries but also on these other things.

There is another thing again, medical treatment, free education and who is going to pay for these things? It may be that the Government has raised the tax indirectly so as to cover the free education, the free medical treatment, and all these things. Every person knows that there is nothing free but everything you must pay for.

Another thing again, I see the Asians and Europeans have been charged higher fees; they could they waste their money on these things, because does not improve the health, but education does. Beer, whisky and Scotch should have had increased taxation.

On the whole I am not here only to oppose the Government, but also to help at the good side. However, the Minister for Finance has tried his level best to see that all these things function that need to be amended and these are the things that I have just mentioned in this short speech.

With those few remarks I wish to support.

Mr. Gachago: Mr. Speaker, Sir, it is an accepted principle that in a National Assembly like this there should be an Opposition. But, in various parts of the world, experience has shown that at times an Opposition should be shown of its arguments and manner of opposition reduce itself into something else. Mr. Speaker, Sir, I would like to hope, and I do believe very sincerely that this House would like to hope, that our Opposition will not go into such arguments and ends as to reduce them, our good Opposition, to something else. I say that Mr. Speaker, because

I have listened to criticism and arguments put therein in speeches from the Opposition Members about the Budget, and glancing simply at the Budget that was presented by the Minister for Finance and Economic Planning any sensible person would wonder where the material could spring from to criticize or oppose this Budget. Mr. Speaker, Sir, it has been very interesting to know some of the criticisms levelled at the Budget by hon. Members of the Opposition. Why I say it is interesting is because things have been said here as if we had never experienced a Kadu Government and as if we had never seen what a Kadu Government could do, or what contributions it could make. I would, Mr. Speaker, Sir, request that instead of opposing for the sake of opposition, the Opposition contribute to the very reasonable Budget that has been presented by the Minister for Finance and Economic Planning. For instance, a reference has been made here to the so-called high salaries of the Ministers of the Government. And to my surprise the reference was made by the hon. Paul Ngei. The hon. Member Mr. Ngei, while questioning the reasonable salaries received by the Ministers of the Government, himself rides in a Mercedes car, a very beautiful and expensive one. Amongst the Kamba people the womenfolk go to the extent of thirty miles to look for water. If the Government Ministers by earning some reasonable amount can be viewed as earning too much, it is also too much for the hon. Member, Mr. Ngei, to ride in a Mercedes car amongst the Wakamba people who do not even have water to drink. At least I would have thought that he would have suggested that his Mercedes and the big Hummer of the Leader of the Opposition be exchanged for some finance to get at least some water and a few boreholes for the population in the Kamba district. I am sure that he could do with a Prefect or any other cheap car, or with a Lada, and if he finds it reasonable to ride in a Mercedes car, it is very unreasonable of him to stand in this House and criticize the salaries of our Government Ministers just because the Government is reasonable.

[Mr. Gachago]

Another criticism was levelled at the Budget by the hon. Mr. Shikuku and to my surprise he referred to the regions having nowhere to find money and nowhere to find revenue. Mr. Speaker, Sir, he also referred to commodities like cigarettes and beer, adding to the revenue of the regions. But, Mr. Speaker, Sir, if we become reasonable, and if cigarettes and beer were taxed more heavily, what regions would actually benefit? How much revenue would be added to certain areas? The answer is in some areas almost nil, because this would depend on the consumption and the power of purchasing in any given area, and fortunately, or unfortunately, most of the Members of the Opposition represent the areas where such taxation, however it were imposed, would not bring any revenue to their regions. Yet, Mr. Speaker, Sir, we hear and continue to hear Members of the Opposition still advocating regionalism and Mr. Speaker, Sir, we are not going back to the question of regionalism or the arguments which have almost been exhausted about *Majimbo*. It is true and it is evident that with this concept of *Majimbo* these regions will become local authorities and will not be able to find revenue from such commodities however heavily they are taxed. So it seems, Mr. Speaker, Sir, that Members of the Opposition are in a position to accept *Majimbo*, but not the actual consequences of *Majimbo*.

The Speaker (Mr. Slade): I think you had better not continue on the question of *Majimbo*.

Mr. Gachago: Mr. Speaker, Sir, I did not finish this. All I want to illustrate is that the revenue would not improve at all if the suggestion of the hon. Mr. Shikuku—that commodities like cigarettes should be more heavily taxed—were to be followed. Mr. Shikuku's suggestion would not benefit at all from this taxation. The consequences would be his, and what I would say, Mr. Speaker, Sir, is that I think Members of the Opposition should learn that they cannot have their cake and eat it. The other criticism that has been levelled again and again is on Pan-Africanism, or on the Ministry of Pan-African Affairs. We all believe in co-existence, not only in Africa, but throughout the world, but as we all believe that charity begins at home we can never co-exist with the rest of the world. Our first duty is to work for co-existence with our brothers in Africa before we can move to co-existence with the rest of the world.

Mr. Speaker, Sir, what we have here is something that is really wanted, we are going to be

a Nation, we are going to contribute to the welfare of the rest of the world, the welfare of Africa, and we have only one Ministry to look after what is very, very important, Mr. Speaker, Sir, the funds that have been voted and allocated to the Ministry of African Affairs could never be better spent—

Hon. Members: Waste!

Mr. Gachago: It may well be called waste, Mr. Speaker, but time and practice will show that the money that has been spent on African Affairs is worth it, Mr. Speaker, Sir, it is not just criticism that can improve or help the development of this country, it is also the contribution that Members of the Opposition could make, whereas I would have thought that since the Budget which has been presented is so comprehensive, it is so very easy to digest and it is obvious that it has been formulated in the interests of the Members of both Houses and in the interests of the very people that we represent here. Members of the Opposition would have come forward with contribution, but not with such criticism, as I have heard in this House today and yesterday.

Mr. Speaker, Sir, I do not think that the Budget that was presented in this House by the Minister for Finance and Economic Planning could have been any better, and if the Opposition thinks that it could have been better let them come forward with proper suggestions as to how we can improve.

Mr. Speaker, Sir, I beg to support, wholeheartedly, the Budget that was presented by the Minister for Finance and Economic Planning.

The Speaker (Mr. Slade): It is too late for me to call on any other hon. Member to speak. I would ask all hon. Members of the Sessional Committee to note and to inform their colleagues that the Committee will meet tomorrow evening as soon as the House rises.

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow, Thursday, 20th June, 1963, at 2.30 p.m.

The House rose at twenty-eight minutes past six o'clock.

Thursday, 20th June, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

NOTICES OF MOTIONS

RESETTLEMENT FOR FLOOD DAMAGE

Mr. Oyoo: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House having learned with great dismay of the damages caused by the floods due to the water level rising along Lake Victoria shores, especially in Kano, urges the Government to give priority to the settlement of the people there who have been made homeless.

APPOINTMENT OF TRADE MISSION

Mr. Kamunde: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House being aware of the fact that such commodities as coffee, pyrethrum and possibly sisal are confronted with special marketing difficulties caused by over-production, in the world; recommends that Government should appoint a trade mission to Eastern countries to negotiate any type of trade agreement between those countries and Kenya.

MORE PROTECTION FOR SAMBURU AND TURKANA

Mr. Rurumban: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this council being concerned about the brutalities and inhuman mutilation and emasculation of defenceless people in Samburu District and Turkana by Boran both in Kenya and Ethiopia, calls on the Government immediately to give more protection to Samburu and Turkana and censure the Ethiopian Government for these constant raids to people of Kenya.

ORAL ANSWERS TO QUESTIONS

Question No. 4

INTEGRATED SYSTEM OF EDUCATION

Mr. Ngala asked the Minister for Education: Would he state what immediate practical steps the Government is considering to take in order to achieve an integrated system of education throughout Kenya.

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The Speaker (Mr. Slade): I take it there is no other Minister prepared to answer this question on behalf of the Minister for Education.

The Minister for Home Affairs (Mr. Odinga): Is it in order to say, Sir, that I am prepared to answer on his behalf?

The Speaker (Mr. Slade): Mr. Odinga, yes.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, to answer this question I am sorry that the Minister is not in but I can say very well that the whole question of the policy of education in this country is receiving great attention by the Government, and in the near future the policy and the integrated system and all other affairs connected with it will be reviewed and something will be notified to this House.

Mr. Ngala: Mr. Speaker, Sir, arising from that reply may I know, Sir, whether the Government can answer this question because what the hon. Minister for Home Affairs has said is a statement which is very far from what I am asking for.

The Speaker (Mr. Slade): In the absence of the Minister for Education I think it would be best if we put this question down again another day and go on to the next question.

Mr. Ngala: Mr. Speaker, Sir, I would like to make it quite clear that the Opposition is completely fed up with this Government because this question was put to the Government four weeks ago and the Government has done nothing, and in addition, the Minister is absent. We want an explanation from the Leader of the Government, Mr. Speaker.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I think that the Leader of the Opposition should have been a little more reasonable because exactly the same question which he now puts I remember was put to him when he was the Minister on this side.

The Speaker (Mr. Slade): The Leader of the Opposition is fully entitled to record his views on the absence of the Minister to answer a question that is put down. This House does expect Ministers to be here to answer questions of which they have been warned; the fact is he is not here, and so the views of the Opposition have been recorded and we must now wait until he is here.

Mr. Towett: Mr. Speaker, Sir, I am seeking information. What is the procedure? Can a Minister answer on behalf of another Minister without authority from the Minister concerned, Sir, in constitutional parliaments?

The Speaker (Mr. Slade): It is in order for another Minister to answer for an absent Minister if he feels he can answer properly. I do not think Mr. Odinga was really briefed to answer this question.

The Minister for Home Affairs (Mr. Odinga): I would say, Mr. Speaker, that that is a general question and having also known a bit of what was happening I thought I was competent to answer in a general way.

Question No. 7.

OVERSEAS SCHOLARSHIPS FOR KURIA

Mr. Mabori-Itumbo asked the Minister for Education: Is the Minister aware that no Kuria boy has been awarded a scholarship to any overseas countries?

The Speaker (Mr. Slade): Here again the Minister for Education is absent. Is there no Parliamentary Secretary who can answer?

Mr. Kagga: The Minister is coming..... (Inaudible.) until he is in.

The Speaker (Mr. Slade): This question also will have to wait until the Minister is here.

COMMITTEE OF WAYS AND MEANS (Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
(Resumption of debate interrupted on 19th June, 1963)
(Budget Debate)

Mr. Khasakhala: Mr. Speaker, Sir, I wish to take this opportunity of thanking the Minister for Finance for having not raised the direct taxation to people in this country, but at the same time, Mr. Speaker, I feel that the Budget lacks certain direction: namely, that the Budget lacks the Minister has not indicated in his Budget Speech the standard of living which depresses the national income and national products of this country is going to be handled. Secondly, he has not told us all how they are going to deal with a problem which faces Kenya at the moment—this was also mentioned by other Members, but I feel it is a matter of vital importance for me to mention again this afternoon—and that is the problem of unemployment. There is a serious problem facing Kenya, and in the Minister's speech there is no mention of direction or steps or what the

Government intends to do in order to ease the problems of unemployment in Kenya. Mr. Speaker: it is good for people living around Nairobi because they can walk and come to Nairobi and get jobs, simply because the Government plans have been directed in the big cities only, whereas in all other areas where people have to travel many miles to come and seek employment in Nairobi, they find notices on every door they get to, "Hakuna kazi", and this is a serious matter which the Government must do something about. The reason why the Opposition fought very much for the present Constitution was that we were going to establish new regional headquarters to get employment for people. The present towns which we have in Kenya were built on the provincial level and as a result some areas which happen not to have provincial headquarters are suffering greatly. Especially I would mention my own area. We spent all our money building Kisumu, and as a result we have no town—

Mr. Towett: On a point of procedure, Mr. Speaker, Sir, could we now ask the questions and then let the hon. Member continue later?

The Speaker (Mr. Slade): No, it is too late.

Mr. Khasakhala: Mr. Speaker, I will continue. We have suffered building other towns such as Kisumu and many others. If you take Kisumu, the Luhya people, who contributed much in the building of the town, cannot get employment there. Of course, we have a few there—

An hon. Member: Will the hon. Member give way?

Mr. Khasakhala: No, I am not going to give way. Mr. Speaker, I still feel that the present Constitution is the right Constitution for the whole of Kenya because it gives people power to establish their own areas and plan for local industries, which the Government and the present Central Government have failed to do.

Thirdly, Mr. Speaker, the Minister did not give any directions in how education and health in this country was going to be handled.

Fourthly, he did not indicate in his Budget Speech how the manpower was going to be used. We have many Youth Wings hanging about; how are we going to make use of these Youth Wings? We must get them to be used by the new Government.

Mr. Speaker, there is something which has been troubling me for the last few years which I feel that I must mention this afternoon. That is health, especially in this town and this city. I feel very depressed when I go to the King George Hospital

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and find patients dying without a doctor to attend to them. I wonder whether the Minister for Health in this Government has taken trouble just to sit for a few hours at the "casualties" in the King George Hospital, to see what is happening there. This matter needs immediate attention, Mr. Speaker. When they say I should put up a question, Mr. Speaker, the Minister would be absent and late, and the questions will not be answered. I therefore feel that the Minister for Health has a duty in this city and his duty is to establish more hospitals, at least in the African locations. I hope that he is here and is taking note of this.

Secondly, the doctors in King George Hospital should be supervised to do their job well. I know they know their job as doctors, but I have been there and was surprised to see how patients are handled in King George Hospital. I feel that the doctors there have failed to do their duty and that the Minister should go and inspect this.

The Minister for Natural Resources (Mr. Arwings-Kodhek): On a point of order. This is a very sweeping and general statement against professional men, implying that they are not doing their duty. Unless Kadu can substantiate I think it would be a very proper thing to withdraw such a remark.

Mr. Khasakhala: Thank you, Mr. Speaker. I am not going to substantiate because I am in order to make remarks on what I feel is happening, and people can witness this.

The Speaker (Mr. Slade): A point of order has been raised and I should answer it. It is not desirable that hon. Members should make general allegations of this kind, unless they are sure that there is some justification for it. On the other hand, it is practically impossible to substantiate a general allegation of inefficiency in a service, so I think we have got to rely on Mr. Khasakhala to keep within bounds.

Mr. Khasakhala: Mr. Speaker, I withdraw that statement. But when I do that, I do not mean that there is no case to look into at that hospital. I strongly feel that the Minister should go there himself and see what is happening. In fact, it is even stated in the newspapers that patients died before a doctor could see them.

Mr. Speaker, I would also like to bring to the notice of the Government the great service rendered to the people of Kenya by the missionary hospitals. I feel that the time has come for this Government to give great aid and grants to the missionary hospitals in areas where they have failed themselves to build a hospital because the

missionaries have not got enough money and as a result the fees in missionary hospitals are very high for the ordinary man. I therefore would like to draw this to the attention of the Minister concerned and ask him to look into this matter immediately.

Mr. Speaker, I shall not take long before I mention the seriousness of communications in Kenya. Communications in this country are appalling. Roads are tarmae-ed in a few areas such as Central Province and following the long roads to Kitale and Kakamega, and I am proud of that. But I feel that the Minister for Communications should pay immediate attention to the following roads: the road from Kisumu passing through Maseno to Busia; also the road from Ahero going to Kisii, to Tanganyika, because they are major roads which link the two territories, and as we are looking for the East African Federation I feel that these roads should receive immediate attention. I also feel that the main road from Nairobi to Mombasa should be tarmae-ed immediately and I am glad the Minister noted that, and I am sure he is going to take trouble in seeing that he takes action and does not give promises only.

Mr. Speaker, yesterday there was a mention of nationalizing K.B.C. and I know very soon the same Government will think of nationalizing the Press in this country. I think this matter will produce a lot of tension in the country. The same people who are sitting in the Government today, when they were sitting on this side of the House used to express the view of freedom of the Press. If they have been speaking of the freedom of the Press, how then can a Government nationalize the Press and K.B.C.? I strongly feel that this is political propaganda which must be squashed by the Government immediately, and if the Government takes action on such a thing it will be directing itself into more trouble than leading the people of this country into the freedom that they want to have.

The Speaker (Mr. Slade): There are too many interjections from the other side of the House.

Mr. Khasakhala: Thank you, Mr. Speaker. I know I am piercing their hearts. The Press should be given freedom and the Press should be independent. The Press should not be nationalized, the Press should not be controlled by the Government. K.B.C. should not be controlled by anyone, it should not be for Government propaganda, it should be a free instrument for the people, to educate the people of the country, and not an instrument for the Government's

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propaganda. Therefore, should the Government be thinking in these terms, I would ask the people of Kenya to ask the same Government, with many Africans in it this time, not to think that way, because it will discourage the investors who would like to invest their money in this country.

Mr. Speaker, electricity is another problem which faces us all. At the moment electricity is directed into the cities and towns only. Some of us have houses and we do not have electricity in. We have schools in our area where we like to organize adult education at night so that people who have worked during the daytime can come at night and get some education. I would like the Government to consider immediately establishing electricity everywhere in Kenya.

An Hon. Member: Nationalizing it?

Mr. Khasakhalo: No, I do not think. Mr. Speaker, it should be nationalized, but the Government should give direction as they are the Government of the day and it is their duty to look into the matters of this country.

Mr. Speaker, Sir, I would like the Leader of the Government, the Prime Minister, if and when he replies, to assure this House that the Constitution we have today is the Constitution for the people of Kenya. The reason why I say so is this. The people of Kenya like the Constitution and that is why we had a very peaceful election and —

The Speaker (Mr. Slade): Mr. Khasakhalo, I do not want this subject pursued any more in this debate. We have had speech after speech on it, and it is not so very relevant to the Budget and the Financial Statement. Please leave it alone.

Mr. Khasakhalo: Right, Mr. Speaker. Mr. Speaker, Sir, thank you for your ruling. I am not going to pursue Constitutional affairs again.

I would also like to draw the attention of the Government, and especially the Minister who was late this afternoon, to the great need for adult education. What are you going to do in order to educate the parents whose children come to school and they themselves do not know how to assist these children? I feel that we should have immediately the establishment of grants set aside for adult education.

With these few remarks, Mr. Speaker, I beg to support.

Mr. Balala: Mr. Speaker, Sir, while congratulating the Minister for Finance on the well-scrutinized, up-to-date Budget which he has presented to this House, I wish to condemn very

strongly Members of the opposite side for making some irrelevant statements about the way the Budget was presented to this House. There have been irrelevant statements from some Members yesterday. A Member from Mombasa alleged that 85,000 people were unemployed. This is very peculiar because as far as I know there are 85,000 people who are registered on the electoral roll of Mombasa. Therefore, this means all the voters who are on the electoral roll are unemployed.

I must say, Mr. Speaker, Sir, that the Minister for Finance has presented his Budget in such a way that it suits the circumstances which we have at present. It is very evident that if there is any economic depression in this country, it has happened as a result of the sheer fragmentation policy of the Party of the opposite side. We are very well aware, Mr. Speaker, Sir, that Kanu—

The Speaker (Mr. Slade): You are not talking about regionalism, are you, Mr. Balala?

Mr. Balala: Mr. Speaker, Sir, we are very well aware that Kanu's policy during the elections was for unification of this country and the people. It is the policy of Kanu that it will work for the national interest and aspirations and the respect of this country as well as its people. On the other hand, we have heard of the policy of the Party of the Opposition. They have been pledged to a fragmentation policy which has hindered the economy and the progress of this country.

The Speaker (Mr. Slade): Do not pursue that subject anymore, Mr. Balala.

Mr. Balala: Mr. Speaker, Sir, undoubtedly the Opposition are very well aware that this side of the House, which is the Government side, is the representative of the entire countrywide people. Therefore the Government very well know the difficulties and the things which are really needed for the building up of this country. Mr. Speaker, Sir, the statement, or the criticisms and comments which came from the Leader of the Opposition in his maiden speech are evidence of his jealousy for the position which this country has taken, and the inability of the opposite side to form the Government as they had pledged to form it.

As far as education is concerned, Mr. Speaker, Sir, the Government, or Kanu, during the election has pledged that it will give free education and free medical attention to the people. It is evident that the Government will really and surely fulfil such promises to the people. If Members of the Opposition, or the Opposition itself is very sincere and really want to work for the interests

[Mr. Balala]

of the country and wants to pledge itself for the uplift of the people and the problems of this country then they had better join the Government and work together with the Government so that they give up fragmenting the country, because they are in the Opposition they are doing more harm and they are opposing things which are in the interests of the country and the people whom they represent. It is very ridiculous for the Opposition to say that the Government must give free education and free medicine right now. It is only four weeks that the Government was formed by this side.

We are very well aware—so is the Opposition—that there is a deficit in the economy of this country and I have pointed out that this deficit has been made because of the hindrance that has been caused by the Opposition policy.

As far as unemployment is concerned, schemes, I am certain, Mr. Speaker, Sir, are in the hands of the Government and we have already found, or we have experienced, that since the formation of this Government, which is a strong and a national Government, there is some confidence in the people. In the farms, in overseas investors that this Government will be very strong and there is a good hope that there will be investment in this country which will bring employment for all the people of this country. I must say that the rate of unemployment that is existing in Kenya is due to the fear that has existed in the overseas investors as well as in the local investors, and this has happened because of the policy which had been adopted by the Opposite side. Undoubtedly Kenya has faced a very hard time from the Colonial Rule as well as from those who are pledged to policies which will fragment the people and the country as well. Now things are alright and we are certain that there will be a very good future and prosperity for this country. There has been also a lot of criticism from the opposite side about the Ministries—there has been criticism about the Pan-African Minister—this is a sheer irrelevancy in criticizing this Ministry because as far as I know in many of the free countries, in most of the African countries each one has a special Minister to look after the affairs of the Africans throughout the continent of Africa. If this country does not have a special Minister, who will look after the affairs of the African and to get in contact directly with the African world so that they know the difficulties and so that they can unite together and see that colonialism is absolutely scrubbed out from the African continent, that is unless the hon. Members on the opposite side are supporters of the Colonial Rule? As far as the Minister for Home Affairs is con-

cerned—this is a must, and a Minister for Home Affairs must be there, because it is he who has got the power and will be very strong to see that there is peace and no one infringes the law or does any mischievous acts.

With this Mr. Speaker, Sir, I wish to support very strongly, I wish to extend my congratulations to the Minister for Finance for such an up-to-date and well-presented Budget as has been put to this House.

Mr. Tuwei: Mr. Speaker, Sir, this is a type of Government which is creating a black colonialism which we are ready to tackle today. We are going to fight. It has already established and they have announced a Budget which is a very poisonous weapon to kill and suppress those who are termed as the minorities, and that is why they have imposed heavy fees and taxation. At the same time, Mr. Speaker, Sir, they have forgotten that they are our brothers who are black and they have suffered for the last fifty years as squatters in what is termed as the "Scheduled Areas". I thought they were going to provide them with land, but this Budget has not provided anything. In fact, it is only a Budget which pleases the Finance Minister, and I do not know why he created so many Ministries which, I think, Sir, the Leader of the Government will put this matter under consideration. If I were the Prime Minister I would rule Kenya with only eight Ministries, and the Ministry for Local Government should not be there. An adviser in the Prime Minister's office would be appointed to do this work and there would not be a whole Ministry.

Now, there is some Crown land and it should be thrown open so that the people could just rush into that land, I mean those who are squatters and have suffered for a long time, and these properties are taken properties which are not respected. They are termed as illegal stock. Then, settlement schemes—all right, provide settlement schemes—emergency ones, too, if this Government is ready for settlement schemes. If the Government is not ready to do such things, one day Cromwell will be found ruling over this House, and there will be no Government.

Now, it will be better for you first of all to listen to what we are talking about because we are the representatives of the people.

The Speaker (Mr. Slade): Mr. Tuwei, remember to address the Chair.

Mr. Tuwei: Mr. Speaker, Sir, the Government should know clearly and very well that this is a predominant African voice and they have been

[Mr. Tuwei]

quiet for many years and it is their turn now and they still neglect the people and they make promises and you should now, even at this time, not send your manifestoes full of false promises.

The Speaker (Mr. Slade): Do you mean my manifestoes, Mr. Tuwei? Hon. Members, I am rather tired of having to remind you of the extremely important rule that every Member addresses the Chair and does not hurl remarks addressed to other hon. Members as "You". If any hon. Member falls again on this I shall order him to discontinue his speech.

Mr. Tuwei: Mr. Speaker, Sir, there are so many but not as much as what has been tabled in the Budget. I would like the Minister for Finance to give an assurance to those who are living and have lived as squatters, that they should take some of the land or farms which have already been abandoned. They have grown into bush and instead of those people paying 40 per cent of what has already been accustomed it should be brought down by 5 per cent, if our Budget will allow that. If they will be allowed to pay for such an amount I think that the cries of the people will cease and the tension will not grow any more because they will see that the Government of this country has done something for them.

Mr. Speaker, Sir, those people who have suffered as the labourers of the former white settlers are going to suffer again, as I have seen, under the Asian settlers who are swarming in to take over such farms. The white settlers have taken many years—about fifty years—to persuade the natives that the land was not theirs, but it was the Government land. This is now the Government. Mr. Speaker, it would be better for this Government to give these natives land, as they will think at this juncture that the land is theirs. Mr. Speaker, Sir, there are some forests which are lying fallow. It would be better for those people, some of whom are homeless and landless, to occupy them if the Budget could allow them to be resettled. If these people are resettled, then I think that there will not be much blame on the Budget; if not, then the Budget will be torn in pieces.

Mr. Speaker, Sir, what happens—talking further about what was mentioned yesterday—about the squatters are the most backward people? These think the Government should provide them with free education to start with next year. If they do not have that, I think they will not catch up with the other districts which are rather advanced.

Mr. Speaker, Sir, something which is constructive and which I would like to hear about in the Scheduled Areas. If a commission of inquiry could be set up by the Government to go through the difficulties of these people, then the Government would do a wonderful and a good job for these people who lag so much behind. When we point them out they say it is wrong of the Opposition to air what is not right or wrong. So these allegations which we are just making come from our own experience in the areas we come from. We were brought up in such a manner, but at the moment the position is becoming very difficult and I think that the Government should look into these matters and by and by the Government will see that it is doing a good job for these people. Otherwise we shall not stop, we will become fools. We shall continue to press for these people to be resettled and given land and not to have to live any more as squatters. The squatter system should come to an end. They are always being brought before the magistrature, they are charged with keeping illegal stock. When will they keep legal stock? The Government should do something for them and I think the Budget should provide an answer to that.

As to the question of development, there has never been any development at all. I am talking from experience, Mr. Speaker, Sir, experience, as I have just said. They are here and I have told you and I have heard so much and there is no question of just—

The Speaker (Mr. Slade): You will discontinue your speech, Mr. Tuwei.

Mr. Azar: Mr. Speaker, Sir, I beg to thank and support the Minister for Finance and Economic Development for having submitted to this House a competent, realistic Budget which we hope, as we embark on the first African Government which we have all been longing for, will guide us and help us to carry forward the country. We have inherited a lot of weaknesses in the system of colonial government of the past. We know that the colonial government of the past has neglected many areas in Kenya, and the only thing, Mr. Speaker, that the Opposition could say is this, that the Kaniu Government have promised to do certain things but they have to give us time. The Opposition should give us time to carry out these things. It could not be expected, Mr. Speaker, that as soon as Kaniu took over the Government a miracle was going to happen, so that everything which was promised would be fulfilled in a week. Therefore, we are planning and we have plans we are going to carry out by the means we have all that is needed, all that is desirable and urgently required for the country.

[Mr. Azar]

It is the work of everybody in this House, Mr. Speaker, to try to think of Kenya, to try to think of the problems which face us. Right now we have the problem of unemployment in the country. We know that as many people are not employed in the country we waste the manpower of the country. We have to feed mouths which do not produce anything and this is a loss to the country. We know that we have so many people without employment. We increase crime because people have to steal sometimes out of necessity, and therefore it is the concern of everybody, the Opposition as well as the Government, to see that this problem is tackled and overcome. We cannot just sit here and shout, we cannot expect miracles to happen, Government or the Opposition. Mr. Speaker, Sir, the problem of unemployment has arisen because of the unplanned economy which has occurred. There was no proper development plan for Kenya for a long time. Imperialists have been promoting certain business interests. They were only interested in making a profit, they did not think of the country's economy. They did not think of the poor masses. Kaniu has declared that it is going to pursue the policy of a socialistic Government, and we know now that we shall have a proper plan which will absorb our manpower properly. Right now we have got a plan for resettlement. We hope settlement schemes will absorb a number of people into proper farming. Kaniu has got a specific policy on this. We are going to settle people in various schemes. We are going to settle those who can farm in co-operatives, those who are going to have smallholdings, and in this way we hope to choose the right farmers to produce more for the country and absorb labour. We also have an industrial policy. There is not much that we can do without the co-operation of everybody, every politician. If we have more investment in this country, we are sure there are going to be more jobs. And here again one has to ask everybody in the country, who have got the interests of the country at heart, to make suggestions, to act in such a manner that the investors will feel Kenya is a reasonable and peaceful country. If the Opposition co-operate, in this Mr. Speaker, then everybody will have confidence in Kenya. From the side of Government we have been tolerant enough of the Opposition and, therefore, it is quite fitting that we should invite them to help us to run the country.

Mr. Speaker, Sir, I want to state clearly that we have all been longing to have an African Government, Opposition and people on the Government side. As this Government is growing, this is only a young country, if we indulge in

mere politics, then there is not going to be much progress; if everybody tries to speak as much as he can in a destructive manner, we are not going to have progress in this country.

We must co-operate constructively and think in large ideas so that our peoples interest is caught. They are hungry, they are poor they are diseased. In this way everybody should contribute to the progress of the country. We want to economise, and use properly the resources, the revenue we have in the country, and although this is not a speech to attack regionalism, I should say a system of Government can cause a waste in the spending of the funds for development. We have mentioned that we wish to induce as many investors as we can to come to Kenya and invest their money and then utilize our resources properly for the benefit as we can of the people so that we can produce more. This is not only the job of the Government, but it also the job of the Opposition as well. We know that our independence is coming, we need trained Africans to go into these industries and to help and at the moment we need to educate as many as we can, on industrial lines, such as engineers, which we need very badly. So the Government, will take into account the fact that we do need more trained people in the engineering and in the industrial field. We wish also to ask Members in each constituency to encourage our people to produce more, especially African farmers in acreage and efficiency. It has been mentioned that when the British Government gives full power to Kenya, they will cease to pay for our army. This is another concern for Kenya. We shall need an army to defend the whole of Kenya. It is no good saying that we have got friendly neighbours. Some time back when I was in Asia Mr. Speaker, I used to see leaders of China visiting India and saying "India and China are friends". It was only a few years after, that China attacked India. So Kenya is not going to be asleep and think that because they have friendly neighbours we do not need to worry. We shall only have the Kings African Rifles, when the British army have left. This is a force which cannot defend the entire country. So we must build a bigger army and we must have an air force, and a navy. Money will be needed before next year's Budget to run our army and to train them. I must add that the condition of our army right now is very poor. They have poor uniforms, they are poorly fed and they are poorly trained. So we need more money. This must be looked into.

Mr. Speaker, a Member referred to the reduction of the Police Force. That would be very

[Mr. Agas]

improper. Just now, I would remark that the opposite party is actually a potential trouble maker, because they make provocative speeches and announcements, and therefore we shall need a strong Police Force to keep peace in the country. I want only to make a short speech on these lines. Kanu Government is determined to look into every aspect of things that we are lacking, and into development schemes. We have little resources, and I call upon the whole House to put the country first and not the party or the opponents, so that we all co-operate in doing what is needed for our people, to alleviate their hunger, their disease, their ignorance. I beg to support the Minister for Finance.

Mr. Godana: Mr. Speaker, Sir, first of all, I must thank all those who have been responsible for my seat in this House. I thank my people who elected me to this House. I would like to appeal to hon. Members on both sides of the House, we are newcomers, we are learning. We must remember that we have been elected to work for the benefit of Kenya. There are many programmes for this country, that is why we have more Members. In every constituency we have our programme which will be set before this House. Whenever the Opposition are criticizing the reasons for a certain programme by the Government they should remember the problems before they argue on the subject. When somebody argues against the Government just because they are not on this side, they are just wasting time. The Opposition must produce something to help us, we are here to build our country and you are here to help us. We must work together. When I make these remarks, many people think that I am accusing the Opposition side. But I tell you that in the constituency from which I come I have lived seventeen years and the people whom I know are waiting to hear what the Government are going to do for them.

Now it is my duty to bring up something, although the Opposition are on their side and I am on the Government side, it is our duty to work together for the good of the country.

I should like to make clear to our hon. Members that they must remember where they come from and whom they represent. I am elected from Northern Province and there we believe that as brothers we must work together. The Colonial Government has let down this Province; we must, therefore, as an African Government, show them the difference between a Colonial Government and an African Government.

Mr. ole Ololkipit: Mr. Speaker, Sir, I must in the first place congratulate the Minister for

Finance for the Budget he has prepared. But at the same time, Mr. Speaker, I would like to mention a few points here. Since I have been attending this House I have been hearing Members from both sides arguing with each other. I believe we have been elected by our people to represent the interests of the people here in this House. And I think it is not the duty of any Member here only to side with this Party; it is the duty of everyone of us here to represent the interests of the people and to say what are the needs of our people. And not to side with the Party. What I mean to say, Mr. Speaker, is that we should be constructive and not destructive in our criticisms. And I think everyone of us here should do what he thinks is right for his people and not side with the Party saying that the Opposition are saying this and that. What we need is to see that the Africans are well represented in this House and we all know that we have ignorance in Kenya, poverty and disease, and it is our job here to see ways of removing these enemies that are facing us. While I said that I must congratulate the Minister for Finance, at the same time, as I have said, we must be a constructive Opposition and not a destructive Opposition. There are points which the Minister for Finance has, however, failed to show us here and it is sure that we need those things which I shall now mention.

The first thing about which I should like to remind the Minister for Finance is money for development. I have seen in the Budget that there is only taxation, taxation, taxation. We know that we are going to tax our people and that unless we tax our people we cannot afford to run the Government. At the same time we want money for development; if we don't have a start, if we do not have capital how are we going to start off? In particular, I did not notice in the Budget money set aside for development, a portion set aside for each region, so that they are able to start off on their way. This is very important, Mr. Speaker, because no one can start a business unless he has capital. The same thing applies to this new type of Government of *Malimbo*. We need capital to start off so that we can go ahead and plan and tell our people and to enable us to carry on with our Government.

The Speaker (Mr. Slade): It is quite all right to talk about development and the money necessary for development, but we will not talk any more on the question of how *Malimbo* comes into it.

Mr. ole Ololkipit: Thank you, Mr. Speaker. The Budget which the Minister for Finance prepared does not show clearly what ration of money has been distributed to every region to enable them to carry on. Another point, Mr. Speaker,

[Mr. Ole Ololkipit]

I say that we need money for development it is definite that we need development. The Minister himself, the Minister for Finance, Mr. Gichuru, one day came to my own place, Ngong, and told the Masai: "You are a difficult type, you have been ignored by the Colonial Government and that is why you have not advanced more." But I have not seen anything that has been allocated to such people by him. He has not enabled them to come up to the standard of Kenyans. Therefore, Mr. Speaker, I would ask the Minister for Finance to show us clearly money for development because it is sure that we need this to catch up with other people and develop our country, especially Masai land where one lacks everything; the country is dry and sandy, there is no water and we therefore need money to develop such country. But I have so far not seen any such provision in the Budget. So far as I understand the Budget I have not seen anything of the sort.

Another point I would like to make at the same time, Mr. Speaker, is that the Minister for Finance did not include in his Budget plans which the Government has for higher education. Of course, we need education and higher education, too. I have seen in the Budget that nothing has been done to enable Kenya to get higher education. The secondary schools we have at present are very colonial secondary schools and I have not seen anything mentioned in the Budget for this purpose. There are no plans to show that the Government has got such and such to elevate the standard of people for higher education. So, Mr. Speaker, I would like to point out that we need higher education here in Kenya, not in Dar es Salaam, not in Uganda; but we need it here in Kenya, that we can well train our people. The Minister and the Government have not said anything about higher education for the people of Kenya.

Another point, Mr. Speaker, is about imports of foodstuffs. On that point, Mr. Speaker, I have seen in the Budget that the Minister for Finance has also taken imports and the necessity of importing foodstuffs, and I think it is necessary that the Government should have created ways and means to expand sugar, maize, rice and wheat products in Kenya so that we are able to produce our own food sufficient for our people in Kenya. In the Budget, too, Mr. Speaker, the Minister has not told us what plans the Government has to expand factories so that Kenya can produce enough food for the people here and also have enough to export to other needy countries.

Another point, Mr. Speaker, I would like to make is marketing facilities. The already existing

Marketing Board is a Marketing Board which has been made by the settlers in this country and so far I have not seen what is the Government plan to enable African producers to market their foodstuffs. We surely need—we grow everything here in Kenya and Africa—and we would like to see a Marketing Board for Africans whereby an African can sell his products and not rely on the already existing Marketing Board which was planned by the settlers in Kenya. I have not seen in the Budget plans which would enable the local Africans to market the foodstuffs which they produce. Therefore, Mr. Speaker, I think it is high time that the Africans here, sit—both the Government and the Opposition—and plan for the future of their people, and I therefore think that in the Budget we need a lot of things as I mentioned and I think Government should take the necessary steps to see that things are really planned to meet the needs of the people in Kenya.

So, Mr. Speaker, I beg to support.

Mr. Kamunde: Mr. Speaker, Sir, I take this opportunity of congratulating the Minister for Finance for having deserted new legislation which has not been considered all this time, at all. Whether we like it or not, Mr. Speaker, Sir, the Budget has not done anything else but has killed doubts, suspicions and uncertainties created by the communists and the capitalists as their agents. We are absolutely sure that with the present Budget foreign investment is definitely coming to Kenya. We are sure that it is the beginning of fighting against the dream communists shouted for, these enemies of the African people, and I need not repeat what these enemies are.

Mr. Speaker, Sir, I agree that the Opposition has the right to criticize the Government, but whether these people are truly contributing to the development of Kenya or not, is not for me to say now. What has been said by the former hon. Members who spoke before is "We must work together. But let us have a look at those who are working together from a different angle. About two months ago we had, Mr. Speaker, Ministers of the then so-called Coalition Government. I sat down one day with a Minister of that Coalition Government. When I look at the Opposition there are some hon. Members who were Ministers in that Government and they drew the same salaries as the present Ministers. Mr. Speaker, Sir, this is through jealousy that Ministers of the present Government have the busiest time ahead, the busiest time for Kenya today, the new-born nation. We are attacked for having too many Ministers which, in the long run, I believe

[Mr. Kamunde] they might even decide to cut out. It is disgraceful that the Opposition should make such criticisms of a Government which has only been a Government for two weeks and yet we are a Government who will stay for years in this country.

Mr. Speaker, Sir, I quite understand that every one of us has the right to say what he thinks about the Government, but he also has the duty to help the Government, help its very poor people. This Budget, Mr. Speaker, Sir, has provided exactly what the people of this country can afford to pay from day to day. If we imagine we shall have tarmac roads in Kenya in a fortnight, then we must give Government the money to provide tarmac roads in a fortnight.

Mr. Speaker, Sir, I do not have to attack anybody or attack any system or any form of Government, or any form of whatever it is, because regionalism or not, but give one English proverb "If you get yourself a horse, don't let other people ride on you". Sir, the aim of the Government is one and I believe that is in the manifesto, that is to make Kenya a happy home not only for Africans but all the citizens who decide to live in this country with us. That home cannot be built unless we have co-operation, and Mr. Speaker, Sir, I call upon the Opposition to start on that co-operation now.

Sir, Africans of all tribes, of all parts of Kenya can no more afford to be passengers in this country whatever political party they belong to, whatever tribe they belong to, and we can no longer afford to be passengers in this country; we are the owners and we have got to run it. As for the Opposition, I very much doubt whether the previous Budget of the Coalition Government did not tax these people. I quite agree luxuries are the sort of things you must tax in a country, but the Government is taking into consideration, consumption. I don't know how many of the Opposition Members, Mr. Speaker, smoke cigarettes or drink a bottle of beer. I believe nearly all. They would not enjoy beer if it was 50 cents higher, nor smoke cigarettes if they were Sh. 1 extra. The Government aims at increasing the consumption, particularly in these days of difficulties, and it is true that taxing too much may reduce consumption in which case the Government's pocket is affected and the Government cannot afford to go broke at this stage. Fees for schools; we expected, Mr. Speaker, some people to attack us, and we, the Government of today, should be prepared for this. We are not small birds in nests, we cannot accept a Government of babies. It is our responsibility to look after

children, and educate them. The Government has gone to its utmost to provide as much free education as possible. But I ask hon. Members how was the Government going to find the money to provide such things as free education immediately it started running this country? This is a problem which we shall be able to deal with only in time. There are, Mr. Speaker, quite a number of items with which the Government ought to go ahead, for example the education of the ignorant. We have got to plan and co-operate with members of other races who have had a better chance of education, we have to appeal to them to give some of their time to people who have not gone to school. This Government cannot afford to run expensive schools. But, we Kenyans can co-operate and help by all of us doing our duties and working together.

Now for the subject of Pan-Africanism which has had a lot of attack. This has been the policy of the Kenya National Union in the past and it is going to be in the future. We want to make the whole of Africa free. Whether the whole world likes it or not, we shall continue in this policy. We shall join the rest of the African independent countries in the cause for the freedom of the whole of Africa. That is the reason why the Father of the Nation gave us this Ministry for Pan-African Affairs, he is trying to get the Africans free. We do not believe in Kenya alone, Mr. Speaker, we believe in the African continent being free from foreign powers.

Coming now to our problems of development. It is true that we are just about to get complete political independence, but it is not true also that we are not truly free men until our economic freedom is at hand. I think the Budget has provided enough room for the expansion of our economic plans. That is the biggest gain of the Minister for Finance. Sir, as for the attack on what Government might or might not do, we have declared our aims, and we have told the whole of this nation what we look forward to doing, but these things must not be expected to be done in the first year of the existence of the Government. But we hasten to assure the nation that what we have promised to do we will in fact do. Perish though we may in so doing.

Mr. Oyoo: Mr. Speaker, Sir, I will be very brief as most of the things that I would have liked to dwell on have already been mentioned by my colleagues.

While we in Government welcome opposition from the other side, the Opposition Members must be aware that we need help. It is very wrong for Members to make allegations against

[Mr. Oyoo] the Government for things that were done in the past by the Coalition Government. These same people think that things will be changed overnight. This will not happen, but I must assure them that this Government is prepared for and committed to socialism in this country. Kanu wants to see poverty, ignorance and disease eradicated from this nation. All this we can only achieve when we work together with the Opposition. The fact that there is no money in the country has been dwelt on to some extent, one hon. Member declared that money was needed to build regional headquarters. The Government has got to give money to development which is really necessary, and this is what people need in the country. Take us in Nyanza, for instance, we have had Kisumu as our headquarters, and we have managed all right. The Government has put forward plans to develop our area, rather than to build a regional headquarters, which will not actually benefit the people. Money is needed for concerns like the sugar-cane industry. This has been provided for in the Budget, and yet Members of the Opposition do not go as far as thanking the Minister for Finance for having presented to this House one of the best budgets we have been waiting for. I think that we should be able to carry out the pledges we have given to our people. One pledge was that we want this country to be independent this year. This Kanu Government has already assured the people of this. I must tell the hon. Members of the Opposition that if they co-operated with the Government it would only be a matter of a few months before this is achieved. I hope the Members of the other side had also told the people this. Some Members in this House speak as if the Government of ten years ago was still in power. We have come here with one motive to construct, we want to build our nation, and we have not come here to destroy.

There has been much said, Mr. Speaker, about regionalism. I do not wish to go any further on this subject, while talking about the Budget.

The Speaker (Mr. Slade): Please do not refer to it at all.

Mr. Oyoo: There have been some remarks made which could be clarified. We want our way clear to carry out some measures for the good of the country, that is, where we need the co-operation of the Opposition Members. We find the Opposition criticizing the Government for the lack of money in the country and yet themselves using certain tactics, the expense of which comes from the pockets of the people. If you will allow

me to quote, Mr. Speaker, "do we in this country need to live in palaces, or ride in very big cars?" If the Opposition Members are really sincere, I think the big Humber of a certain Member of the Opposition could have been avoided. Why not sell it?

The Speaker (Mr. Slade): I see that you are making indirect references to the high expense involved in the regional system of Constitution. Please obey my ruling.

Mr. Oyoo: This is a new subject. As I have just said that I will not repeat what has been said I finally appeal to my own colleagues here to all come together with constructive ideas, and with the intention of carrying out all these promises, which our people have had from us. The Government is fully aware how our people are starving and how they need places to work. In the Budget we are trying to provide against these problems. That is why such things as sugar-cane and sisal growing have fared well in the Budget because if these industries are well administered more people will get employment. At the same time we find that land settlement gets big mention in the Budget. This is one of the big projects of the Government.

I have also to make one observation about drainage along the lake shores, have also been provided for in the Budget and I feel that it is developments like these which are really going to help our country. When the Members of the Opposition say that development has not been catered for the Budget, I cannot think what sort of development they can be referring to. As regards these developments I am mentioning, I think the Government is going to carry them out, and it is high time that we all in the House came together and dealt with the difficulties which we have everywhere. Mr. Speaker, Sir although our colleagues have felt ashamed of speaking the truth this Budget has been praised all over the country and even when we went back last week, I met several people, and most of them said that this Budget our Government had presented is one that they think deals with all the things which have been mentioned for our action. Referring to questions which have been raised on the Minister for Pan-African Affairs, I think probably that some of our colleagues might not really understand the work of that Ministry. All of Africa we want to unite and form one nation, and this new Ministry has been given the duty to see that all countries in Africa are united and work together with our new nation of Kenya. This cannot be done unless we give it special attention as it is very important. We have already stated, and

[Mr. Oyoo]

The Leader of the Opposition has already thanked the Government for the steps it has taken in building a Federation of East Africa. How could we build a Federation in East Africa if we leave out Pan-Africanism? We must first of all get ourselves truly committed to Pan-Africanism, before building our East African Federation, and that is why it is one of the most important Ministries of this country.

Another criticism, Mr. Speaker, has been the Minister for Local Affairs, I think I am not wrong in saying that this Ministry has been in this country for quite a long time and we still have it. We know we have local authorities and regional authorities. All right, the Government having given one Ministry to look after our local authority, which is very important, the local people depend on this Ministry. Our people need a Government which will reach them and it is through the local authority that they get this, and I think it is rather short-sighted, Mr. Speaker, to suggest that money being used for that purpose is a waste. We want to have a very strong local authority in this country because the other authority is only there by warrant. And I therefore feel that the money that has been put aside for strengthening and developing local authority is well spent. We must give that Ministry all our support so that we are getting improvement for our own people. Kanu as a party and as Government is committed to building African welfare facilities in this country and it will first of all be built through local authorities.

The Speaker (Mr. Slade): You know your time is up.

Mr. Oyoo: Thank you, Mr. Speaker, for reminding me about the time. I—

The Speaker (Mr. Slade): When we have time limits for debates we observe the time very, very strictly. When the red light goes on the hon. Member who is speaking can only just finish the sentence on which he is then engaged, and then he has to end.

Mr. Seroney: Mr. Speaker, I rise to congratulate the Prime Minister over the victory which he won at the last elections. I congratulate him because he has not shown any spirit of vindictiveness constantly reminded, in two weeks. I would like to thank him for emphasizing something which we on this side of the House have always emphasized and that is its togetherness. That togetherness it is *umvoja*. I am glad that the Prime Minister has

emphasized *panoja* and not *umvoja*. I also congratulate him on his slogan of *karumbey*, hon. Members on the other side have talked about the need for co-operation. We on this side of the House are prepared to co-operate but I would ask what sign of co-operation are the other side showing? They do not consult us even on important national issues, which are not partisan, but national. They prefer to ignore the Opposition, and now they lecture us on co-operation. If there is to be co-operation it must come from both sides.

You cannot tell us that you want co-operation and then go ahead and do what you like, without referring any matter to us. One hon. Member has said that I want to share the Government. I have no intention of doing that; what I am looking for is co-operation, because the Opposition are just as much part of the Government.

Mr. Speaker, Sir, we on this side of the House affirm our loyalty to Kenya, as we did at Lancaster House, if hon. Members would refer to the first paragraph of the Lancaster House Agreement, we want a united Kenya, but only by constitutional means and by no other. Let us by all means cultivate loyalty, but with respect to law and order and constitutional methods. We do not have to provoke others needlessly, nor do we have to issue provocative statements in the Press.

I will go on to another matter, Mr. Speaker, and that is the Governor's Speech. It was amazed when I sat here listening to the Speech. I had hoped that there might be some indication of the policy that the new Government was intending to follow. The Speech was very nice—I can only assume that it was made with the concurrence of the Government—but there was no mention whatsoever of the policy that the Government was going to pursue. It was full of platitudes. There was a lot of talk about socialism, and the need to do this, and the need to do that, but there was still no communication from the Government about their policy. We know what they have declared in their Kanu manifesto, we know all the promises they have made, but we wanted to find out from the Speech from the Throne how they intended to do all these things, such as free education, free medical treatment, and so forth. I hope that at a later stage we will get a clear indication from the Government as to how they intend to implement the pledges they made to this country. One hon. Member has pleaded that they have only been in power two weeks. We do not blame them for not having free education, we do not blame them for not having free medicine, but at least there should have been an indication as to what steps they were taking

[Mr. Seroney]

to achieve their goal. Instead we get platitudes. What progressive steps will be used? I was surprised at that Speech. There were pleas for a good, robust Opposition and that Kadu and Kanu did this and that, but what we want is not what they did before but what they are going to do now. If there is a secret plan we want to know it in this House.

I now, Mr. Speaker, touch on the speech of the Minister for Finance. I congratulate him on his speech, I congratulate him particularly on the reintroduction of death duties, because I could never understand why they were removed in the first place. As far as savings are concerned, we have had lectures from the other side about expenses. Now, we have Ministries here which are necessary Ministries. We have got the Ministry of Regional Affairs and Local Government, I ask what are the functions of that Ministry? A Minister, a Parliamentary Secretary, a Permanent Secretary and his personal secretaries; for what purpose? One hon. Member said that they have a duty and I want to find out if such matters of co-ordination cannot be handled by the Minister for Home Affairs; I wonder what he is there for? Security, Mr. Speaker, is a portfolio of the Prime Minister. We are, therefore, left in the ridiculous position of having a Minister for Home Affairs being in charge only of prisons. If there is an hon. Member who wishes to contradict me he can explain to me what the functions of the Minister for Home Affairs are. Then, I would have suggested that instead of having this Ministry for Regional Affairs and Local Government, this should have come under the Ministry for Home Affairs. As for the Ministry for Pan-African Affairs—I am now considering this matter from the point of view of economy and not with any particular reference to any Minister—I cannot understand why this is not an aspect of external affairs which we have been told by the Government is a portfolio within the Prime Minister's Office. As usual, Mr. Speaker, I will not prolong my speech. There is also a Minister for Justice and Constitutional Affairs. Is it necessary to have him as well as a Minister for Regional Affairs and Local Government? If there are any constitutional affairs to be considered, or if a region steps over the border, or for that matter Central Government, too, all those matters can be dealt with by the Minister for Justice and Constitutional Affairs. We do not require this fictitious Ministry.

I would like to end on the note I started. Mr. Speaker, that is we want to pull together to construct this country. We will give every co-operation to the Government, but we expect that co-

operation to be mutual and not one-sided. Our loyalty is to Kenya, we will never go back on that. We will respect the laws of this country, we will do everything in our power as hon. Members on this side of the House to make sure that we make a success of our *Uhuru*. I trust the Government will do the same.

The Speaker (Mr. Slade): If any hon. Members have been in doubt as to the value of the rule against constant repetition or what has been said already. I think they have probably been able to appreciate it by now, not with particular reference to the last speaker, but with reference to several points on which we have all got to exercise a little more self-discipline. Some time ago, all arguments concerning regionalism that were in any way relevant to this debate had been exhausted, and yet hon. Members keep on trying to repeat what has been said already. It has now reached the same point with regard to justification of the cost of the Ministry of Local Government and the Ministry for Pan-African Affairs, and I would tell hon. Members that they must say no more on those subjects, because they have already been said before. I appeal to all hon. Members to respect this rule, which is for their own good, and the benefit of the debate as a whole. Is there no other on the Government side who wishes to speak now?

Mr. Nyanweya: Mr. Speaker, Sir, I rise to congratulate the Minister for Finance. He has given us a very realistic Budget, which he very clearly and eloquently presented to the House the other day.

There are hon. Members opposite who have been on this side of the House for a period of three years. The Leader of the Opposition is one of them. I was glad the other day when he mentioned that he had his finger in the pie, or at least some efforts in the Budget. As a matter of fact the difficulties which are facing this Government, the problems which this Government has inherited, are the makings of some hon. Members on the opposite side. If for the last three years they have been on this side of the House, they should have at least encouraged local light industry, they should have encouraged African farmers to grow more coffee, grow more pyrethrum, grow more tea, and at the same time find markets for these products. Things would then have been very much different. What have they done, or what did they do when they were here? Nothing. They say Ministers on this side of the House draw 7,000 shillings a month. The same salaries were paid to them even at the end of last month, Mr. Speaker, Sir.

[Mr. Nyanweya]

It is the wish of most Members of the House to see that this Government brings in economy measures so that we can save something at least to begin with. We are in the process of building a nation, we are in the process of trying to earn before we even think of spending. Before we can even begin this task someone jumps up and says where is free education, where is free medicine? Kanu in power will try to keep all electoral promises and we are going to do it. What I am trying to say, Mr. Speaker, is this: the difficulties we have are the making of some Members opposite. Our present Constitution is very complex, even some of us who are lawyers by profession find it extremely difficult to see how a Constitution like this is going to work in a country like Kenya. Henceforth we are looking forward to a Marlborough Conference whereby we can change the Constitution. (Hear, hear) We want a simple and a workable Constitution in a country with eight and a half million people.

Mr. Speaker, Sir, we are looking forward in the course of this financial year to seeing some changes in African rural areas. We want to see something done to encourage African farmers so that they can grow more cash crops. We want to see something done for African traders so that they will be able to stock their shops with goods worthy of selling. We want to see not only in this Chamber, where there are so many African faces, but also in Government departments we would like to see some drastic changes.

Take for instance, I am not saying anything about judges and magistrates, but I am speaking of the clerical and executive officers. In most courts in this country, African courts excluded, there are Asians, European women as secretaries, clerks, filing clerks, typists and other things, while there are so many African young people floating around without jobs. I have known cases where graduates from India have been employed in these courts, doing the work which can be done by a Standard 8 boy.

The Minister for Commerce and Industry some time ago had the opportunity to run this Ministry and we hope the experience he had during that period will be used again in this period to see that the projects which he initiated, and which were later dropped by the person who was the Leader of the Government business in 1962, should be reintroduced. These projects would help the people who are at the present unemployed. Some other projects would help the people to get money themselves. There are raw materials in this country which with the help of

the Government can be utilized for light industry in the rural areas and help our people to get money to pay for school fees and medical expenses.

While speaking on this we would also like to see that this Government, and when I am saying this I am not trying to be critical, because I know what we have inherited from the previous Government and there is always a very strong

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

inclination on the side of the Government to try to put up a show in Nairobi. The hospital in Nairobi, buildings in Nairobi, roads in Nairobi and everything in Nairobi, white in the provinces and in the districts nothing is done whatsoever. For instance, there are no lights in some of the district hospitals and such things we hope the Minister for Health will see fit to introduce some of these very much needed facilities in our district hospitals. We are not going to keep things in Nairobi for the purpose of showing people who come from abroad our civilized way in Nairobi whilst things in the districts are very much in the wilds as in the 1930's.

An hon. Member: On a point of Order, Mr. Deputy Speaker, what is the quorum in this House and have we this quorum now, because the other side of the House seems to be empty? There are only very few Members.

The Deputy Speaker (Mr. De Souza): The quorum is twenty and we have a quorum.

Mr. Nyanweya: Mr. Deputy Speaker, Sir, another thing I like to mention in passing is about the land settlement. The East Government began some measure to see that landless Africans were settled somewhere; we on the Government side would see that those schemes are multiplied more than they were during 1962. Many Africans are without land and without food and it is time that this Government increase the settlement schemes, particularly for the landless. There was also another scheme for the assisted owner scheme. This was supposed to be a scheme for the rich Africans. I do not know whether they reach the Africans really, because after all we are not going to create another class which is going to be a problem in future, when we are embarking on some agrarian reforms. But whatever the position is, some of these assisted owner schemes should continue and they should not only continue in one particular region or province or district, but

[Mr. Nyanweya]

if possible they should continue all over the country, so that at least every tribe does benefit in a way from this sort of scheme.

In some areas there has been some unrest because of these settlements. During the week there was some unrest between the Masai and the Bajays. I know that there have been similar unrests going on at times between the Kisi and the Kipsigis and the Masai, because either the Kalenjins think that the Kisi have been settled on the land to which they were not entitled and the Kisi think they have been properly settled. To protect these new settlers who think that they are settlers, I would urge the Government that in every settlement there are adequate police facilities who assist the settlers and at the same time Members of the opposite side should desist from encouraging hostility between tribes.

Mr. Deputy Speaker, Sir, the Budget is a realistic one and we hope that the one which the Finance Minister will present to the House next year will be a more progressive one and on these grounds I support the Budget.

Mr. Anyieni: Mr. Deputy Speaker, Sir, I wish to congratulate the Minister for Finance, because Kanu for a long time have been accused of being a revolutionary sort of political party, a party which when it got its power would nationalize everything. Mr. Speaker, Sir, the Minister for Finance told us in the beginning that some of the things he put down in his Budget were agreed in the Coalition Government and I was thinking, Mr. Deputy Speaker, Sir, that the Leader of the Opposition would be the last man to oppose this Budget, but I was surprised to see that he was the first man to oppose it—

Mr. Ngala: Read my Speech!

Mr. Anyieni: Mr. Deputy Speaker, Sir, the Leader of the Opposition has been telling us that Kanu has not had the interest of the people at heart in presenting this Budget. I completely disagree with him and the reason why I do so is this. I think the Leader of the Opposition is not having the interest of Kenya at heart. If we have the interest of Kenya at heart, how is it, Mr. Deputy Speaker, that he would be willing to be the President of the Coast Region and at the same time be the Leader of the Opposition.

I think, Mr. Deputy Speaker, Sir, that the Leader of the Opposition's outlook is regional and parochial and if the Leader of the Opposition has got the interest of this country at heart he should not identify himself with the Coast, but should identify himself with Kenya as a whole.

Mr. Speaker, Sir, I heard the Members of the Opposition saying, you will excuse me, Mr. Deputy Speaker, Sir, because I have got to mention regionalism here.

The Deputy Speaker (Mr. De Souza): That is not in order. You have heard the Speaker's ruling on the question of regionalism; he said there would be no more debate on regionalism.

Mr. Anyieni: Thank you, Mr. Deputy Speaker, what I think is that the Members of the Opposition are intimidating, they are telling people outside that if this comes we are going to sharpen our arrows. I want to assure the Members of the Opposition, Mr. Deputy Speaker, Sir, that the Government has adequate machinery to deal with these persons.

The Leader of the Opposition and the hon. Members have been telling us that Kanu is a tribal political party. I completely disagree with that. Recently, at Kisumu, a man has been elected the President of the Nyanza Region who is a Kisi. We number a third of the members of that region. Mr. Deputy Speaker, Sir, in the election of the National Members, Kanu has demonstrated beyond doubt that they are not a tribal political organization, because they accuse the Kikuyu, the Luo and Kisi of being tribalists. If that were the case, Mr. Deputy Speaker, how is it that we did not take any person from Luo or any person from Kikuyu to be a Member of the National Seat? This is a complete demonstration that Kanu has the interests of Kenya at heart and that Kanu is devoted to doing what Kenya wants to have done. Mr. Deputy Speaker, Sir, I am surprised to see that the Leader of the Opposition, who was in London at the time when discussions concerning the Constitution took place, and who knows very well that education from primary school up to secondary education is under the control of the regions. I am surprised to find that Members of the Opposition are asking the Government to give free education to these regions. Kanu has made it very clear, Mr. Deputy Speaker, Sir, that we are going to provide free education. I wish these gentlemen to know that even Rome was not built in a day, and so you must wait, and given ample time we are going to provide free education.

The Members of the Opposition told their electorate that "You should give us the votes, so that when we go to Parliament we shall form a Government which will take care of your interests." Now, where is the Government? There is no Government, all they are doing is to beg the Government for money to run their *Maji/mba*. That is what we are not going to do. Mr. Deputy

[Mr. Anylen]

Speaker. I thought I should challenge these gentlemen who have deceived their electorate that they will form a Government. Now that they find that they are on the wrong boat I think they should jump here and help to run the Government.

Mr. Deputy Speaker, Sir, are these Members truly the Opposition? What I fail to understand. Mr. Deputy Speaker, Sir, is, in advanced countries like the United Kingdom and the United States, you have one party advocating capitalism and the other advocating socialism, and when the Government says this the Opposition says that. But I fail to understand what the Opposition here is doing?

Kanu has said "We are going to give free education". We should have liked the Opposition to say "We do not want to give free education". Mr. Deputy Speaker, Sir, I fail to see what the Opposition are trying to represent. Mr. Deputy Speaker, Sir, I would like them all to come here so that when we debate in this House we shall be one and shall be able to take our Ministers to task, but now, Mr. Deputy Speaker, Sir, we cannot do that, because we must of necessity support Government against the unnecessary Opposition. So we say that these Gentlemen who deceived their people should as soon as possible, if they have got the interest of their people at heart, find themselves so ineffective that we shall congratulate them if they cross the Floor and came to the Government side.

Mr. Speaker, Sir, I would like to mention something that the hon. Member Mr. Khasakhala said when he first spoke. Mr. Speaker, Sir, the Member attacked Kanu for having the intention of nationalizing or controlling our medium of information. I would like to inform the hon. Member, Mr. Speaker, Sir, that this country is not going to be fooled with the propaganda of how or what the Opposition would like this country to be. We would like the intentions of the Government are, I was surprised, Mr. Speaker, the day before yesterday, when the Leader of the Opposition said a few things and then he came and said even more things, but I was surprised Mr. Speaker, Sir, that in the papers, and even from the K.B.C. all that we heard was what the Leader of the Opposition had said. If the K.B.C. and if the papers are going to be employed as propaganda machinery for the Opposition to try and discredit the Government, Mr. Speaker, Sir, I give the assurance to the Opposition that there is an occurring motion to nationalize the K.B.C. and the papers. What I think is that Members of the Opposition, Mr. Speaker, should realize is

that Kanu has the power to rule this country. They say that there will be blood. Let me tell them. Mr. Speaker, suppose that any trouble came, who would suffer most? We are a majority here, and we are in the majority outside the House. So, Mr. Speaker, Sir, I say that these gentlemen would always do well to accept what Kanu wants to do in this country.

Mr. Speaker, Sir, I would also like to quote something which the Opposition said yesterday. The Deputy Leader of the Opposition—I do not want to speak on characters—but I think he is a very sincere man if I am allowed to say so, but when he says that Kanu has forgotten the most ordinary man in the street, I wonder what the Deputy Leader of the Opposition means. He knows very well that he has been part and parcel of this Government Party, and now he is in the Opposite Bench.

I wish he were here, Mr. Speaker, and I would have asked him through you, what he is doing there, because what I think, Mr. Speaker, is that the Wakamba people would like to have someone as respected as he is on this side of the Government, instead of using the God-given talents to oppose things that he knows Kanu is capable of carrying out, and so, Mr. Speaker, Sir, I am going to conclude my maiden speech by saying Kanu has got the right to govern. Kanu will rule this country for a long time, and I would assure the Opposition, that if we had another election tomorrow people, knowing very well that these people are going to govern, would put them in again.

I think I am piercing the heart of the Opposition, and I am sure they would like to shorten my time for speaking. Mr. Speaker, Sir, I beg a few more words before I sit down. What I think, Mr. Speaker, is that the electorate outside know that Kanu is the national party, and as that is the case, I think they know that Kadu is made up of racists. That is why they refused to vote for Kadu, Mr. Speaker. And so, Mr. Speaker, with once more to conclude my speech, and wish once more to congratulate the Minister for Finance for having presented a Budget which will encourage capital to come into this country.

Mr. Mutiso: Mr. Speaker, Sir, I would first of all like to thank the African, or rather the Kenyan electors here, who for many years have been longing to elect such a National Assembly like the one we have today, but rather to my disappointment I am speaking at a time when this National Assembly is almost empty here. Mr. Speaker, Sir, I would like to dwell mostly on four items in my speech. First of all, the Minister for Finance presenting his Budget, mentioned

[Mr. Mutiso]

is a lot of things which he thinks the Government is going to do to benefit the Africans of this country. But I fail to trace in his Budget what problems he has in mind. If, for instance, we get a view, or a look at the future of our country, just more so at a city like Nairobi here, there are quite a lot of people who are out of work, beggars, cripples, and yet we have not seen any programme or plans for what the Government has in mind to clear up this rather disappointing state of affairs, which most of us face when we walk in the streets. You find people who are desperately helpless. They do not know what to do. They have no means of living, and I thought this was one of the plans that the Government was going to put forward, at least we should find some loans for these crippled people and beggars, so that at least our city would be a more pleasant sight than it is at the moment. This is one of the points that this Budget should have taken into consideration.

A number of people, or rather hon. Members did mention, or have talked on the question of unemployment in this country. It is true that unemployment has been one of our pressing problems in Kenya. If one takes a look at the Labour Exchanges, one would be rather surprised to learn that the Labour Exchanges are more or less like public meetings. People who have no means of living, people who come from long distances with a hope that they will get work in Nairobi, or in other towns in this country, they live there the whole day long, and go back home in the evening very disappointed, and yet at the moment, we have got a Government, the first African Kenya Government which our freedom fighters have been hoping for with great hopes that when the Government is in power, it will do all that it can to eliminate, or at least reduce, some of these pressing problems. I have completely to see anything good in the current Budget.

Mr. Speaker, Sir, I want to record my views on the question of health here in Kenya. Some of our hon. Members know for sure that Kenya is a country where some parts have been deliberately ignored by the past Colonial Government, and I thought, Mr. Speaker, when an African Government comes into being, steps will be taken to build more hospitals, give priority to the more needy places which have been deliberately ignored by the Colonialists. I am surprised, Mr. Speaker, only to find that our Finance Minister has completely failed to put up any suggestions in his Budget of increasing hospitals in this country, even in giving priority to such areas as the Northern Frontier District, such places like Ukambani, where if you have travelled

through that country you find people who are suffering from ulcers and many other diseases which do not exist in certain other areas, because there are adequate medical facilities. Mr. Speaker, Sir, I am not going to criticize the Finance Minister for the sake of criticizing, but I must point out that these are the most pressing needs which our people, and especially Africans have been longing to see.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

I do not see any good in having schemes like that of building the Mombasa/Nairobi road, or reconstructing the existing road, spending so many millions of pounds on like schemes, when the most important things for human beings are ignored; by this I mean health services, water etc. There are some places where the people use the same water as the animals. There are still areas where tsetse fly, mosquitoes and other dangerous insects still reign. It is necessary to waste so much money in constructing the Mombasa/Nairobi road when we ignore, or rather overlook, the most pressing problems that have to be tackled first.

Mr. Speaker, Sir, this is a Government which has come into Office for the first time. It is true that they cannot do everything at the first instance but there are some things which they ought to have taken into consideration.

Only the other day, Mr. Speaker, we read in the newspapers that about sixty-two people were drowned because of the lack of adequate bridges, and still that particular part of the country is not being given priority in this matter. I am appealing to the present Government to give more priority to such areas like Ukambani, which, in my opinion, have been deliberately ignored by past Governments.

On the question of building or constructing efficient bridges, more hospitals and schools—these are the things that we expected to be put up in the Budget. I have failed completely to find any mention of anything of this kind in the Budget.

I do not wish to speak more at this moment; I would like to end my speech by pointing out those few things which I think the Minister for Finance, who is not present at the moment, and the Government, should consider very seriously and in so doing lifting up these areas of Kenya which have been left behind by other parts of the country.

Thank you, Mr. Speaker.

[Mr. Tanzu]

I cannot avoid it. Mr. Speaker, Sir, I call upon the Minister to attend to these places, he knows very well because having been in both the previous and the present Government, that the places like Baringo South which the Colonial Government ignored since it was established here in Kenya, has no water, has very poor roads. I call upon the Minister to allot some money for water and roads in that district.

Mr. Speaker, Sir, if I am allowed to mention it, there is no mention in the Budget of how women's clubs will be improved on. I call upon the Government to look into this seriously, or else they will prove their efficiency, as they have already showed that they are so selfish, they have taken all the seats, all the Specially Elected Members' seats, and they did not give one to a woman. The Government has been trying to prevent women from coming into the House and presenting their cases. That is why I must stress this very much.

Mr. Speaker, Sir, I also call upon this Government to extend television and radio broadcasts to outlying areas, so that everybody may watch it. It now only goes as far as Nakuru; it is a big town, but it does not go into the interior, how can these people get the benefit from K.B.C. if the Government does not work upon these things? Mr. Speaker, Sir, there are a lot of shouts from the other side, and I am unable to air my views fully.

The Speaker (Mr. Slade): There are too many running commentaries from the Government side.

Mr. Tanzu: I think this is due to fear that I will hit them on the heads. And so, Mr. Speaker, Sir, I covered the points I wanted to mention, and I think the Minister has seen his mistakes, and that he will try to improve these things. There is only one point that these hon. Members from the Government side should stop making. Mention development in any particular place, they tell you to cross the Floor, so that you may receive this. I want to find out from the Government, Mr. Speaker, Sir, whether the constituencies of the Members of the Opposition are going to be left unattended simply because they are not on the Government side? The public should know, and I am sure that the public will soon phrase such a question. Mr. Speaker, Sir, with these few remarks I beg to show my dissatisfaction with the Budget.

The Speaker (Mr. Slade): You have already spoken have you not?

Mr. Kibwage: Mr. Speaker, Sir, I have listened very attentively since yesterday, and since we started debating on the Budget, and I feel that criticism which has come from the other side is not going to help us, or the public, at all. The criticisms have in fact delayed us instead of enabling us to sit down and get organized and do something which is going to be useful to the public. The Opposition have used tactics of delay. They feel they are representing their people here. I want to tell the House that when Kanu sent out its "bible" the people read it, and gave their support to Kanu, and thus we formed the Government. The Opposition were not given any authority to command and oppose the Government.

Mr. Oloililip: On a point of Order, is it right for an hon. Member to refer to a party manifesto as a "bible"?

The Speaker (Mr. Slade): If an hon. Member wishes to refer to a book which he values as his "bible" that is in order. It is quite commonly done, and there is nothing blasphemous about it.

Mr. Ngala: On a point of order, Mr. Speaker, is the Member in order in saying that the Opposition has no right to oppose here?

The Speaker (Mr. Slade): Quite definitely not. It is important that the Government respects the Opposition, as the Opposition have been elected on their manifestoes just as much as the Government has been on theirs. It is wrong to say that they have no mandate to take up their position as Opposition.

Mr. Kibwage: Mr. Speaker, Sir, I feel that the position would have been more profitable if the Opposition had suggested something more constructive.

Hon. Members: Withdraw, withdraw!

Mr. Kibwage: I think that I have answered this.

The Speaker (Mr. Slade): You have not actually answered. It is quite a different matter to criticize a Member of the Opposition than to say that they have no right to oppose. I would like you to indicate that you have understood the difference. You are wrong to say that they have no right to oppose.

Mr. Kibwage: Mr. Speaker, Sir, with regard to what I said before, there are certain points which have been raised on the Budget and I feel that the Budget has touched on almost every point on which it was possible for it to touch. The hon.

[Mr. Kibwage]

Members do not seem to appreciate that the Budget touched development, the question of communication, etc., as much as it is possible for a Budget to do in one financial year. We know very well that this House has been criticizing the Government and yet while other Members formed the previous Government they did not take any action on these things. I think that the attempts made by the Minister for Finance have been spread over a wide area and to almost every development project of which the present Government could think.

When we come to the question of labour problems, the unemployment problem, I feel that this question, this problem has existed for many years, and the Kanu Government, in its manifesto, and now in action, is going to try and see that this serious problem is eradicated and the people. I think, will appreciate what is being done in this direction. There has been a snag, however, and this is related to the fact that hon. Members from the Opposition are so greedy that they have taken positions both here in the House and also at the regional authorities. In doing this they have deprived one other person of the salary which he might earn in doing one of the two jobs undertaken by those greedy Members, and this would have reduced the unemployment.

The Speaker (Mr. Slade): You are repeating the argument.

Mr. Kibwage: Mr. Speaker, I feel that that point has been touched upon by the Leader of the Opposition and several others on that side who have followed his example.

The Speaker (Mr. Slade): You may not have been present throughout this debate, but this point has been touched upon three times already.

Mr. Kibwage: I am sorry, Mr. Speaker. There is a new problem which has come into existence, and it is that the Opposition say that the salaries of the Ministers are high. I do not think that is Kanu policy; it was the policy instituted by the Leader of the Opposition when he was in power.

Hon. Members: Hear, hear!

Mr. Kibwage: We feel that Kanu will do something which will benefit the people of Kenya.

As to the question of when we are going to give free education; free medical services, etc., we feel that when we made our promises we also said that we were not going to support this complicated Constitution. If this complicated Constitution, which the Opposition is holding up, is done away with.

The Speaker (Mr. Slade): The hon. Member must not waste time repeating this subject.

Mr. Kibwage: What I was trying to tell the House, Mr. Speaker, is that Kanu are not trying to avoid fulfilling the promises which we gave to the public and which they supported. The public is still supporting us and they are only waiting to see those promises fulfilled.

With those few comments, Mr. Speaker, I beg to support the Budget wholeheartedly.

The Speaker (Mr. Slade): Is there any Member on the Government side who has not already spoken and who wishes to speak? Then go ahead Mr. Kiamba.

Mr. Kiamba: Mr. Speaker, I rise to congratulate the Minister for Finance for the work he has done to produce this Budget. I would say that I am pleased to see an African Government in Kenya. I know that the hon. Members feel that the Opposition should not criticize the Budget. We on this side do have to criticize the Government, through the Minister, and show them where we do not think the Budget will work for twelve months, or where we think it will not be effective in twelve months. In this way the Minister may produce some Supplementary Estimates whereby he will agree to some of the criticisms which we have levelled at the Government.

Now I come to the point which I want to raise. I find that in this Budget there are some increases which are unwarranted. I think many more people are settling in the country because there is more land available, but in the future they will not produce more and so there will be a drop in exports and this will result in a lowering of the economy.

On the question of the rural population increasing I think it is a shame that the Government is keeping so many people in the prisons; many more than the Colonial Government used to do. What they should do is to see that they do not put people into prisons unless it is very necessary.

An Hon. Member: Why, are you frightened?

Mr. Kiamba: Then again, going into the question of local authorities. I remember that the Minister said that their position would rely upon the payment of local taxes. That is good enough, but at present I know of various places where people are sent to prison for non-payment of their taxes. I think the Central Government should try to meet the deficit in the taxes of the local governments. They should do that because they are the Government of the whole country and as such they should not be a position not to be able to pay taxes for local governments. The people of the poorer areas should know

[Mr. Klamba] that the revenue from the people of other areas will help to pay the taxes they cannot afford. For example, if a license started at the Coast and the Government did not try to stop it there, even if it meant spending money, it would spread throughout the country and then they would have to spend even more money in trying to stop it than they would have done if they had stopped it at the Coast. So you see, I think that a poorer local authority should be helped from the Central Government, not the Central Government to say that the taxes of the local authorities should be sufficient. If they do the latter then the Central Government will be running away from their own conscience. I have read in the Government manifesto that they are aiming to become a Social Government. There is nothing wrong in that, but how can they do that when they say that they are not going to give money to help the regional governments. The Central Government cannot deny the fact that they are there—they are there by right of the Constitution. The Constitution is a point of Law. Everyone knows that whether they like a law or not they still have to support that law. If a law is passed in this House everyone must obey that law until it is changed by the proper authorities.

I would say that in this House Members should not feel that we should not criticize anything with which we do not agree. I think the Minister and the Government should consider this point, and if they have the funds available they should help make up the deficit incurred by any of the regions. I think the Members of the Opposition should be free to criticize as they represent the people who elected them.

Mr. Speaker, Sir, I beg to support the Motion.

Mr. Mulama: Mr. Speaker, Sir, I have no quarrel with the Budget as presented by the Minister for Finance. While I am aware of the difficulties of finding money the Finance Minister should have taxed cigarette and beer consumers. I smoke but it is not good smoking at the expense of the poor man.

Education. You promised that you were going to give free education. We felt very happy and we thought that as soon as you got into power you would fulfill this and we are waiting up to this time to see that you are doing it because many of us are still in the pink, we haven't got money to pay for our school fees. Mr. Speaker, Sir, many African children today are suffering from lack of schooling simply because of school fees and it is surprising in this Budget that the school fees have been increased. I am wondering

what the poor people will have to do to support their children. The Finance Minister in his Budget has touched on the matter of tea but I fail to see why coffee particularly in Nyanza Province is not being encouraged. We are told that there is no market for coffee. This is an African Government and this Government if I can well remember has claimed that they would find markets in Communist countries.

I feel it is time to encourage coffee-growing in Nyanza Province. I quite agree and support the idea that if we can get markets whether Communist countries or not, we are ready to send our coffee.

I represent, Mr. Speaker, a very poor constituency and I feel that coffee—

The Speaker (Mr. Slade): Point of order.

An Hon. Member: On a point of order, Mr. Speaker, I was wondering whether it was in order for the hon. Member to read his speech?

The Speaker (Mr. Slade): I do not think that the hon. Member is reading his speech, but it is not in order for him to do so.

Mr. Mulama: I was looking at my notes. Mr. Speaker, Sir, I represent a very poor constituency and it is the duty of the Government to see that the sugarcane industry is encouraged in that area and factories are established to relieve unemployment in that area.

Mr. Speaker, Sir, our communications are very bad in the whole of Nyanza and Western Region. We have no good roads, while one appreciates the efforts being made to tarmac the road from Mombasa to Nairobi, I would like the Government to make every effort to tarmac the Kisumu/Busia road, Kakamega/Busia road and the Nairobi/Namanga roads. Without these roads we are not going to sell our produce properly and I think the masses will take a very long time to develop a better standard of living. Mr. Speaker, Sir, I come to the point of Pan-Africanism. Now—

The Speaker (Mr. Slade): I think we have had enough on Pan-Africanism.

Mr. Mulama: No, no. Mr. Speaker, I am putting it differently. Mr. Speaker, Sir, many of the hon. Members on the opposite side have a spirit of Pan-Africanism, and if we on this side are not supporting this I feel I can assure the hon. Members that we here are fully aware of the spirit of Pan-Africanism, and we are ready to support it, but we can only support Pan-Africanism if you on your side will accept criticisms of the wrongs of Pan-Africanism.

[Mr. Mulama]

Mr. Speaker, Sir, I see no reason why we in Kenya should not adopt the same system of Government that is prevalent in Uganda today. And if we could have that system within the framework of an East African Federation I don't see anything wrong in it.

Mr. Speaker, Sir, as I said before, I represent a very poor constituency and in fact the whole area of the Western Region. We have no facilities for our farmers and our traders. We think we should have credit banks extended right up to district headquarters of every region. This system is operating very well in Uganda today where they have credit banks and where African farmers and traders have loans from the credit bank whenever they want to borrow money. Mr. Speaker, Sir, this is a very important suggestion I am making because I was a farmer, have failed often to get loans for farming and for trading. All these loans are given around Nairobi and not in the African areas. And if there are any loans they are given to very very few people so that it is very hard to know how these loans are being allocated. Mr. Speaker, Sir, with that I come to an end.

Mr. Odeoro-Sar: Mr. Speaker, Sir, as far as the Budget report is concerned in the whole country and in this House the country has welcomed the report. And therefore the Minister for Finance has been highly praised for his Budget report. Mr. Speaker, Sir, I would like to draw the attention of the Members on the Opposition side that because they were elected by their constituents to come here to serve their interests and therefore when we ask questions on the Budget, we must all the time think of our people whom we represent. It is not a question of opposing for the sake of opposing. Our people know that the Imperial Government has created the situation in Kenya which is bothering us today. They did not develop many parts of Kenya, particularly the Northern Province, which is very poor, some of them are dying of hunger. Even in Nyanza Province people are living in undeveloped areas. They only developed the settled areas for the settlers who came here to dwell in Kenya, and therefore, Mr. Speaker, Sir, we are aware of what the Opposition has told the House. The Government is aware of these conditions and we are going to do everything we can to help our people as regards education. Our children are not educated properly as they should be taught. They are only taught bookish education. Mr. Speaker, Sir, we know that all over the country there are people who need help because they are poor. The Government of the past has not tried to encourage the

traders who are African to progress in trade and develop their business. Most of the areas, particularly in my constituency, the traders have not been given any laws to improve their trade. I know that was not an African Government as we have today. That is why we are here, to improve every aspect, trading, education, health and the rest. Mr. Speaker, Sir, the Government is aware of developing the scheme for agriculture in this country. This has not been done by the Imperial Government. And now the Government of the people, that is Kanu, is going to do this very well. And the people of our constituencies also the Members here both on the Government side and the Opposition know that Kanu Government is going to do everything regardless whether it is a Kadu or a Kanu area. We are thinking of the Africans who are very behind in the progress of today. That is why we are here, not to accuse the Opposition, if they oppose with sense but not for the sake of saying this and that. Mr. Speaker, Sir, there are certain people particularly some of the Members who have been preaching among the African people. I am asking the Opposition side, who are responsible for creating this situation, to reconsider their statements which they have been selling to the Press. We are here to build Kenya, for everyone, regardless of race, colour and creed. We want to build a brotherhood of men here, in Kenya where we can all live together, we should not let any hostility between people interfere like any friction between one Member coming from the Coast and the other coming from a different region in the Highlands. We want to show the whole world that Kenya is a land where there are good leaders, where people can live peacefully, and that is the aim of Kanu. We have been telling the country this. The Prime Minister has been preaching this all over the world for very many years. Unity of Africa. This is our motto. Let us see that it is achieved in Kenya. Therefore, if the Opposition side can join with us, they can criticize because they are there to do so, and we shall welcome their criticisms, for this can help us. This is only if they are sensible but if it comes to such trivialities as where one man lives and what party he supports. We are here for our people, to aid our mothers, fathers and children at home. The poor at home need us, that is why we are here. I, personally, have welcomed the criticisms of the other side which were cleverly framed, but those which do not carry any meaning I ignore. As the Government we are going to see that the people we left behind are respected because some of the administrators of the past bothered our people at home very much. This is

[Mr. Otero-Sar] the duty of our Government. We want freedom to move wherever we like. All this we are going to do and the Kadu people will see how Kadu do it correctly and very well.

It was baseless for a man who is responsible, or a man who is known to be somebody in the country, to come and say "Nonsense" when sometimes he claims to be a Nationalist and sometimes a Regionalist. What about all these things—how can he be both these things at the same time? We want leaders who will go forward for the people who will say the right things. We are not here to deceive our people at home, we are here to help them. Mr. Speaker, Sir, I beg to repeat my thanks to the Minister for Finance for the Budget which he has presented in this House this year.

Thank you.

Mr. Kariuki: I wish to congratulate the Minister for the work he has done in preparing the Budget.

Before I give my speech about the Budget I wish to say that I think the Budget has been presented in such a way that nobody can come and oppose it. Some of the Opposition, particularly the Deputy Leader of the Opposition, came only to oppose the Budget. The Deputy Leader came in order to impress people with his speeches before the House. He himself has forgotten that he gave promises to this people at Ukambani during his campaign that he would give them *Mahama* free. What has he done for those of his people in Ukambani? He also made promises that he would give them loans to buy tractors and—

Mr. Ngeli: Mr. Speaker, Sir, I would like the hon. Member to substantiate these allegations, because I think they are very serious. The hon. Member made an allegation that I promised the people that I would give them tractors and loans and so on, I think that is a very serious allegation and I would like him to substantiate it.

Mr. Kariuki: Mr. Speaker, Sir, I beg to continue—

The Speaker (Mr. Slade): Mr. Kariuki, you are asked to substantiate what you have said. You must be prepared to do so, and to say on what evidence you base your allegations, even though they do not appear to be very serious.

Mr. Kariuki: I am going to say on what I substantiate my allegations—it appeared in the Press.

Mr. Ngeli: I think that as a Member of the House of Representatives, and as a politician, I am entitled to say that these poor Africans should

be given land; these poor Africans had no money to buy land—

The Speaker (Mr. Slade): Order, order. The hon. Member is substantiating his allegations—will the hon. Member remain seated while I stand. You are asking the hon. Member to substantiate the statement that you have promised tractors and loans. He says that he has seen the basis of this allegation in the newspapers, and that is his substantiation of the allegations.

Mr. Ngeli: Where does it say that I am going to give loans and tractors; can he quote the newspapers where it says that I am going to give loans and tractors to the people; can he produce the evidence?

The Speaker (Mr. Slade): Perhaps not this afternoon. Can you produce the newspaper tomorrow. Mr. Kariuki?

Mr. Kariuki: Not this afternoon, Mr. Speaker. The statement was made by the Deputy Leader of the Opposition before he joined Kadu.

The Speaker (Mr. Slade): That is not the point, Mr. Kariuki. You have to produce evidence to support your allegation.

Mr. Kariuki: I will, Sir, but not today.

The Speaker (Mr. Slade): Mr. Kariuki, you understand that you will be held to your promise to produce this evidence—you must do so.

Mr. Kariuki: Mr. Speaker, I will produce—

An Hon. Member: On a point of information, Mr. Speaker, I—

The Speaker (Mr. Slade): You may not interrupt on a point of information unless the hon. Member who is speaking gives way for you. He has not given way yet.

Mr. Kariuki: Thank you for allowing me to continue, Mr. Speaker. If a Member criticizes the regions and the Government—

An Hon. Member: Is it not in order that if a Member on this side feels that something should be substantiated to refer—

The Speaker (Mr. Slade): I am afraid that I do not understand.

The Hon. Member: I said, Mr. Speaker, that he said Members on this side should wait, should not criticize. Supposing that I feel that a Member from the other side puts allegations which are not true, is it not in order that a Member from this side should stand and ask for such a matter to be proved?

The Speaker (Mr. Slade): Yes. That is quite in order, as we have seen. We have just had that point of order and I upheld it. Would the hon. Member sit down while I speak please. I have just upheld a point of order of that kind. If, however, an hon. Member wants to rise on a point of information that is quite a different thing, and he cannot speak on a point of information unless the hon. Member who is speaking gives way, and the hon. Member did not give way.

Mr. Kariuki: Mr. Speaker, I want to refer again to the Budget. Members of the Opposition just want to criticize the Budget presented by the Government. I think the statement made by the Minister for Finance in his Budget is very clear to the Government side and also to the Opposition. The Leader of the Opposition mentioned in his speech that there are thousands of people starving in Mombasa; thousands who have no work; thousands having nothing to eat; but he has forgotten to mention that he was demanding *Majimbo*, *Majimbo*, *Majimbo* at the London Constitutional Conference—

The Speaker (Mr. Slade): Mr. Kariuki, talk about something else if you want to talk at all.

Mr. Kariuki: Thank you, Mr. Speaker. There are so many things that this Government is prepared to do. We have promised free education, free medical services, and those are things on which we are going to work.

An Hon. Member: When?

Mr. Kariuki: As soon as possible. This is the Government of the people, and nobody can deny that this is the Government of the people. After winning the last election we are committed to the things which are for the good of the country, not to doing only what the Opposition think should be done. Our Government is working on this.

An Hon. Member: Working on what?

Mr. Kariuki: Mr. Speaker, Sir, I think that some of the Opposition Members are just interrupting me for the sake of interrupting.

The Minister for Finance and the Government know very well what has been done and mentioned in the Budget Statement. The Opposition is complaining and asking for loans and so forth. In the Budget which they have seen—which they would have seen had they taken time to study the Budget. The Budget has now been debated for about three days and with this in mind I beg to support.

ADJOURNMENT

The Speaker (Mr. Slade): That concludes the business on the Order Paper. The House is now adjourned until tomorrow, Friday, 21st June, at 9 a.m.

(The House rose at thirty minutes past six o'clock)

Friday, 21st June, 1963

The House met at Nine o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

Vote on Account, Financial Year 1963/64.

(By the Minister for Finance and Economic Planning, (Mr. Gichuru))

NOTICES OF MOTIONS

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to give notice of the following Motions:—

EXEMPTION FROM STANDING ORDERS—VOTE ON ACCOUNT

That the proceedings on the Vote on Account be exempted from the provisions of Standing Order 144 (6) which requires that such proceedings be taken on an allotted day.

WITHDRAWAL FROM CONSOLIDATED FUND

That in accordance with section 116 of the Kenya Order in Council, 1963, the withdrawal from the Consolidated Fund of the sum of £1,339,313 made up in the manner set out in the Vote on Account laid before the House of Representatives, be authorized for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending on the 30th June, 1964 until such time as the Appropriation Ordinance for that year comes into operation.

ORAL ANSWERS TO QUESTIONS

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I would like to take this opportunity to apologize to the House for my inability to reply yesterday, but due to unforeseen circumstances I got into trouble in my life—which perhaps should have been repaired earlier by the other Minister—and the result was that I was late in getting here. I would apologize, however, and take this opportunity to answer the question.

STUDENTS—DAR ES SALAAM UNIVERSITY

Mr. Ngala asked: Would the Minister for Education state the respective quotas of students between the East African territories to the Dar es Salaam University College and give the breakdown of intake from Kenya from January 1961 up to date?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to reply:—

University College, Dar es Salaam, is an inter-territorial College and there is no system of territorial quotas.

Since January 1961 the intake from Kenya has been made up as follows:—

1961 Three from Makerere and one direct entry, making a total of four, all African men.

1962 Six from Makerere, one from the Royal College, Nairobi, one from London and two direct, making a total of ten, nine being African men and one an Asian woman.

1963 One from Addis Ababa, one from the U.S.A., and seven direct entries, one of whom is a mature-age student, making a total of nine, seven being African men and two being Asian men.

All of these are or will be studying Law since this is the only Faculty so far established at Dar es Salaam.

Mr. Ngala: Arising from the reply, Sir, how does the Minister assess the monetary expenditure on the students if there is no quota system to ensure that Kenya gets a fair share?

The Minister for Education (Mr. Otiende): The question does not arise, Sir, since I answered it yesterday.

The Speaker (Mr. Slade): Yes, I think it does arise. Mr. Otiende but you have not got to answer it.

The Minister for Education (Mr. Otiende): There is no quota system as I answered to question 1, but we were asked, in the estimates of the five-year programme for the East African University, for £20,000. That has nothing to do with this figure at all, it is for the development of the new University College. It has no relation to the number of students we send and if the hon. Member would look at his figures Kenya has the majority of students in that College.

Mr. Ngala: Arising from that question, is the Minister aware that he told me just two days ago that the figure for development was nil and today he says that the £20,000 is for development. I thought the £20,000 was for recurrent expenditure and that is the reply the Minister gave me.

Now is he satisfied that £20,000 should be spent on ten students. Why are they not absorbed here in Kenya?

The Minister for Education (Mr. Otiende): I can give the Member, Mr. Speaker, further information. Out of thirteen students at that college this year, ten are from Kenya. I think £20,000 recurrent expenditure is a fair figure that we should pay, since we occupy most of the places at the University College and I do not see that the hon. Member has to grumble about. As to whether we should absorb these students into Kenya, that is another matter, and it is being looked into.

Mr. Towett: Mr. Speaker, Sir, the Minister told us that Kenya has a majority of students in this University College, does he imply, Sir, that in 1961 there were less than four students who came from Kenya, and in 1962 there were less than ten? Does this mean that we do not have more than quota students in this University, and if so, why should we spend all this money for recurrent expenditure?

The Minister for Education (Mr. Otiende): If I may be a little more explicit, Sir, in 1961 we only had four students out of 38. In 1962 we had ten students out of thirty-three, but this year we had ten students out of thirteen. Those are the figures.

Mr. Towett: Mr. Speaker, Sir, since the Minister has not been explicit in his earlier reply, how does he arrive at the figures, and the fact that Kenya has a majority of students in Dar es Salaam? He did not say in which particular class this year.

The Speaker (Mr. Slade): I think he has made the figures clear, but he did not answer your other question about cost.

The Minister for Education (Mr. Otiende): As to that, Sir, I cannot say, it rests with the whole University authorities, and I am not their spokesman here, Sir.

Mr. Ngala: Arising from the original reply, does the Minister intend to introduce a quota system at Dar es Salaam University as it applies in Makerere College, and why is Makerere College different from the Dar es Salaam University?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, as the hon. Member knows there has been a dearth of lawyers and advocates in East Africa, and the University College at Dar es Salaam is a new experiment. They are African lawyers, and therefore, I think the question of a quota system cannot come in at present until the University College is built. At present it is under construction, and I cannot say that we will be able to use the quota system until such time as we have sufficient places in that University College for which to struggle. At present the places are there, and anyone can take them up.

Mr. Ngala: Can the Minister give us an assurance, Sir, that when the University buildings are completed, the quota system will be introduced?

The Minister for Education (Mr. Otiende): I cannot give that assurance, Sir, but the matter will be taken up by the authorities.

Mr. Alexander: Mr. Speaker, Sir, is the Minister correct in saying that there is a dearth in law students? Would he agree that in fact it is the other way round, there are too many students for law, and not enough for the other productive qualification needed in our community?

The Minister for Education (Mr. Otiende): I cannot agree with the hon. Member, Sir.

Mr. Towett: Mr. Speaker, Sir, the Minister, in one of his replies, did say that one or two students came from America and some probably from London, some from Makerere University College and one from the Royal College here in Kenya, and one from outside those institutions. Now are these students channelled by the Kenya Education Department to go to Dar es Salaam University College, or do they go direct from all these various places, Sir. I would like to know whether they are channelled by the Education Department of Kenya or if they apply direct and are taken up by the University.

The Minister for Education (Mr. Otiende): The procedure, Sir, is that these students apply first to the University College and then the University College refers them to the Ministry of Education here to arrange their transfers.

Mr. Towett: Mr. Speaker, Sir, would the Minister agree with me that it is a waste of time and money to send the student or students to America and to London and then to have them sent back to the Dar es Salaam University when there are Faculties of Law in London?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, these students are private students. They go for general education courses. When they want to take law we advise them rather than waste time and money taking law in foreign countries that it is better for them to come and take law here.

Mr. Shikuku: Mr. Speaker, Sir, I think the Minister should give us further explanation. We should try and give opportunities to the students in the country but the Minister has, or accepts, this system of people from overseas coming to occupy places which would otherwise have been occupied by the local people. Because if one goes to the United States and then comes back here, it is a waste of time.

The Minister for Education (Mr. Otiende): These students we bring from abroad are local people here, our taxpayers, because their fathers are paying taxes here. They are not foreigners, they are African students who have gone for further education abroad. But when the local University can provide a profession, it is surely to the good.

Mr. Shikuku: The question is not answered. I am not implying that these people are foreign people, but they have had a chance to go overseas for further education. Does the Minister agree with me that priority should be given to the students who are already here who have not had the chance to go to America?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, that can be done, but when there are vacancies which a lot of people are not applying for we do not see any harm in giving chances to our students abroad to use these opportunities.

The Speaker (Mr. Slade): Let us take the next question now.

INTEGRATED SYSTEM OF EDUCATION

Mr. Ngala asked the Minister for Education: Would the Minister state what immediate practical steps the Government is considering to take in order to achieve an integrated system of education throughout Kenya?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to reply.

If the question refers to racial integration of the schools, then a wide measure of integration has already been achieved and will continue to be achieved. The Government Development Planning Committee, of whom the hon. Member for Nairobi Doonholm is Chairman, is as an interim measure examining educational problems.

Mr. Ngala: Mr. Speaker, Sir, arising from that reply could the Minister give details of the considerable progress he has made in this aspect, as he has indicated in his reply. I want details of the specific schools and specific things.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I am not ready to provide that information because it is such a big document that it will require time for consideration. However, I could give other information, other than figures, for these schools which we will integrate. The whole scheme has begun all over Kenya and—

Hon. Members: Where?

The Minister for Education (Mr. Otiende): In Nairobi, and at the Coast, too. The only question I expected the hon. Member would have asked is a question on fees. However, if he wants the figures I could supply them, but it is a big document.

Mr. Muliro: Mr. Speaker, Sir, how does the Minister aim at achieving integration when there are differential school fees in various schools?

The Minister for Education (Mr. Otiende): I realize that this is a problem which has defeated various Governments. I have, now, to put forward the views of the present Government on this question.

The question of integration has to do with money. If we want all students to study in the same schools, surely they should pay the same fees, otherwise there is discrimination. If you want all students, regardless of colour, to go to the Prince of Wales School they should pay the fees as paid at Prince of Wales School. Those parents who can pay the fees should pay the fees, whether they are Africans or otherwise. I do not see why this Government is being asked to practise discrimination. Having realized this problem, we are able to help in other ways those parents who are unable to afford the fees. For financial reasons, children of other races admitted to schools do not have remission of fees. This has nothing to do with my Ministry, it is a question of Government policy. Such a concession would have been most expensive, not only because of revenue but also because extra expensive staff would have had to be engaged. The hon. Member of the Opposition know this. I think that in all places, except in Nairobi, matters to do with remission of fees have passed to the regional authorities. It is for them, after the 1st January, 1964, to agree to remissions in fees in schools if they can afford to.

Mr. Ngala: Mr. Speaker, Sir, the Minister is giving very unsatisfactory replies this morning. I would like to know why the Minister has given the progress of integration of schools to the Member for Nairobi Doonholm when this is an academic exercise concerning the whole country which should require a particular commission to advise the Government.

The Minister for Education (Mr. Otiende): Mr. Speaker, I do not know whether the hon. Member understood me. What I said was that the Member for Nairobi Doonholm is to be asked as a matter of development—and he as the person in charge of planning—to examine educational problems only as an interim measure. If it is found that a commission is necessary after that, surely then the Government would be in a better position to decide.

Mr. Pandya: Mr. Speaker, Sir, I think the Minister has not answered the question at all. The question was what immediate practical steps the Government is considering, not what the position is at the moment.

The Minister for Education (Mr. Otiende): I think I have given the answer to what immediate steps have been taken, and I would remind the hon. Members that the Government has only had a few weeks in office, as compared with some people who have had six years in which to do something.

Question No. 7

OVERSEAS SCHOLARSHIPS FOR KURIA

Mr. Malsori-Itumbo asked the Minister for Education: Is the Minister aware that no Kuria boy has been awarded a scholarship to any overseas countries?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I beg to reply. No, Sir, a Kuria boy went to the United States of America in 1962 with a scholarship.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, arising from the reply, what is his name and where was he from? Which Location?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, the name was not included in the previous question, but if the hon. Member still requires the name I can provide the name at a later date.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, I think that this is merely to satisfy me, but I am sure that no boy has ever been sent anywhere at all.

The Speaker (Mr. Slade): Do you have a question?

Mr. Malsori-Itumbo: Mr. Speaker, Sir, I am sure that the Ministry of Education is not prepared to help Kuria.

The Speaker (Mr. Slade): Sit down.

Mr. Towett: Mr. Speaker, Sir, is the hon. Parliamentary Secretary implying that we should all go and start stock-taking and find out how many students from our own areas have been sent abroad?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I have answered the question as it was put and, as far as our records go, it was only one boy who applied and he got the scholarship.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, it is shameful that only one Kuria boy has gone overseas, as the Minister says. Will the Minister for Education assure this House that they will in future think of that particular area and send more boys?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, before giving the assurance I should like to make it very clear that before granting scholarships candidates have to qualify, and unless the candidate qualifies, he cannot be sent abroad.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply by the Parliamentary Secretary, would the Parliamentary Secretary state whether this scholarship was a Government scholarship or a private scholarship, or a condition scholarship?

The Parliamentary Secretary for Education (Mr. Kaggia): It was a Government scholarship, Sir.

Mr. Shikuku: Mr. Speaker, Sir, arising from the reply of the Parliamentary Secretary for Education, he said "one Kuria boy" but when he was asked the name, he said he did not know it. How does he know that it was a Kuria boy?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I did not imply that. The question did not ask the name but only the number, to which I have replied. I have undertaken to provide the name at a later date.

Mr. Towett: Mr. Speaker, Sir, does the Parliamentary Secretary tell us that there is this one boy and one girl or only one boy?

The Parliamentary Secretary for Education (Mr. Kaggia): Only one boy.

QUESTION No. 3

SECONDARY SCHOOL FOR KURIA

Mr. Malsori-Iumbo asked the Minister for Education: Why is there no secondary school in Kuria?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I beg to reply. Provision of secondary schools is not based on a district, or lesser geographical area, but on the needs of regions. It has not been considered necessary as yet to provide a secondary school for the Kuria area because of the number of candidates qualifying for such education and because of the adequate provision within the Region for those pupils who qualify for secondary education.

Such pupils can qualify for entry to three boarding schools and two other schools with hostel accommodation.

Mr. Malsori-Iumbo: Mr. Speaker, Sir, arising from the reply, is the hon. Parliamentary Secretary aware that Kuria boys are always being disqualified because of having no schools to join?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, there are a few schools which I can name which can always accommodate pupils from Kuria: they are, Homu Bay, Kisii, Yala, Rapogi and Pehili.

Mr. Malsori-Iumbo: Mr. Speaker, Sir, is the hon. Parliamentary Secretary aware that most of these schools are day secondary schools but no boarding secondary schools and they are far from Kuria.

The Parliamentary Secretary for Education (Mr. Kaggia): There is hostel accommodation there, as I have already said, Mr. Speaker.

Mr. Malsori-Iumbo: Mr. Speaker, Sir, can the hon. Parliamentary Secretary then assure the House that this year his Ministry will have a special case for the Kuria boys because I am sure they will be disqualified as usual.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, while the Ministry would like to provide secondary education to the Kuria, I would like to inform the hon. Member that secondary education comes under the regional authorities from now on.

Mr. Malsori-Iumbo: Mr. Speaker, Sir, arising from his reply is the Parliamentary Secretary aware that previously the regions were not there and that only last year secondary schools were

given to various places, and we applied for several but our applications were turned down because we had no District Headquarters?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I have already said, there were not enough candidates from the Kuria tribe to warrant a secondary school.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply given by the Parliamentary Secretary, I be aware that the Kuria people are pressed out of the secondary schools he has mentioned because of the academic competition in the other areas. What is he doing to develop a secondary school for the Kuria in their own area?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, the Kuria boys do not warrant a secondary school. If the Kuria boys are backward I think it is up to them to try and get the standards required in other schools nearby.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply that they are backward, is this not the responsibility of the Ministry of Education to help bring up the people?

The Parliamentary Secretary for Education (Mr. Kaggia): It is not the Government's responsibility, it is the responsibility of the teachers.

The Speaker (Mr. Slade): We are going round in circles and it is time we stopped.

NOTICE OF MOTION ON THE ADJOURNMENT

MASAI MORAN SUOTING

The Speaker (Mr. Slade): I would like to inform hon. Members that I have had notice from Mr. Oloitiptip of his desire to raise on the Adjournment the matter of an incident at Loinikok on about the 15th June, when a Masai moran was shot and wounded by the police. I have allotted next Tuesday, 25th June, for that matter to be raised on the Adjournment. I believe Mr. Oloitiptip has already mentioned it to the Minister, and I hope that this allows him enough time to prepare any necessary reply. This is, of course, on the assumption that the matter has not become *sub judice* in some way in the meanwhile.

For the information of hon. Members, this involves the procedure of what is called a Debate on the Adjournment, and at 6.30 p.m.—or at the earlier close of business—instead of adjourning

[The Speaker:] I call upon a Minister to move that the House be adjourned, and then for the next half-hour time is available for discussion of the matter in question without arriving at any adjournment, but merely for discussion pending adjournment.

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(Resumption of debate interrupted on 20th June, 1963)

(Budget Debate)

Mr. Tuva: Mr. Speaker, Sir, I am not going to attack the Minister for Finance. I have, however, got a point to raise about the Nairobi/Mombasa road. I do not see why there should be a toll road to Mombasa. There are so many tarmac roads in Kenya. There is a tarmac road from Nairobi to Tororo—at least I think there is—and there I feel that since there are so many tarmac roads all over the country, there should be no toll imposed on the Mombasa/Nairobi road. We feel that the Coast has been a step-child for a long time and this Government, since it is claiming to be National Government, should treat all parts of Kenya equally. The money needed to tarmac that road should be got locally by making many more roads toll roads and money would be raised that way to construct the road to Mombasa.

The Coast is fed up with tolls. There are already two bridges that have tolls, the Nyali and Mtwapa bridges, and the public have to pay a lot of money when crossing. We already have to pay tolls on the Likoni ferry and if a toll is again going to be imposed on the Nairobi/Mombasa road, we will feel that we are being treated as a step-child, and we are fed up with that.

This road is going to do a lot of good for the country. It is going to raise tourism and there will be many more people from here going to Mombasa by road—using cars—and that, I am sure will attract more tourists to the country because they will be seeing animals as they go down to the coast.

One other thing is that I would like to direct the attention of the Minister to the Malindi/Mombasa road. This road is only half completed, it goes as far as Shimu-Ja-Tewa and the rest is

very bad. If this road is improved or tarmac-ed I am sure the Malindi area will be developed agriculturally. There are so many cash crops around Malindi that need attention. There are the cashew-nut trees, the coconut trees, and we always hear of the Malindi mangoes being sent to England: Cotton is being grown and Malindi is now producing one-third of Kenya's cotton. There is also salt and all these products have to be transported to Mombasa and if the Mombasa/Malindi road is improved I am sure the area will be developed more and more. I know that they need money but the Government has got it and they can make money.

I was surprised when I heard on the radio and read in the newspapers about loans. The Minister has always got to go overseas to get money to loan to the farmers, but I have never heard of any farmer around my area who has received any of the big long-term loans. They are all small bodies, like the Cotton Committee, that loan money to farmers, but they are all short-term. I would like to ask the Minister to see that in future—I am not blaming him for the past—he should make sure that loans are shared equally to farmers, regardless of the regions, to which they belong. The Government can then claim to be national, and impartial.

We are tired of being reminded from time to time that the Government has a majority and therefore they can do whatever they like. This is a threat, as they used threats during the elections. We are also fed up with hearing of African socialism. We need a definition of this African socialism, to me it is very vague and I do not actually understand what it all means.

An hon. Member on the other side yesterday spoke of nationalizing the Kenya Broadcasting Corporation. Promises have been made again and again that the Press and the Kenya Broadcasting Corporation are going to be given freedom. If the Government has got the intention of nationalizing the Kenya Broadcasting Corporation then there is no hope. All the rest of the country will be scared off. They will begin with nationalizing the Press and the Kenya Broadcasting Corporation and then they will nationalize all the industries. Then we will have dictatorship in Kenya. Many Members across on the other side during the last days have spoken of supporting the Minister for Finance in the presentation of his very good and well-balanced Budget. Yet again the same Members on the other side are trying to excuse themselves by saying that the Budget was made before the Government was formed, that it was made by the Coalition Government. What are we going to believe? Are

[Mr. Tuva]

we going to support the Budget as one that was made up by the National Government or one that has been made up by the Coalition Government? You are confusing us and you must make this point clear to us. One thing on the Budget that has been left out and that is very important indeed is the position of teachers in the country. The teachers suffer all the time. Their terms of service are very vague and racial. The salaries of teachers have always been very low, especially those of the African teachers. But it is not only the Government employees who are suffering, indirectly all these teachers are said to be Government employees, because all the money that comes into their pockets comes from the Government. I therefore feel that this Government should pay special attention to teachers. African teachers have been suffering for many years and are still suffering. It was said that the Lawrence Report was going to be implemented last year, but we will find that all the salaries that were recommended in this report have not yet been implemented. The races were to be on an equal footing as from 1964, but I feel that this is very late, particularly since the Government is said to be a national one.

Mr. Speaker, that is all I wish to say today. Thank you.

Mr. Mokobhai Mr. Speaker, Sir, while supporting the Minister for Finance I would like to draw the attention of the House to the following. We, on this side, have made it quite clear that we are going to fight poverty, illiteracy and disease. But there is a fourth enemy, Mr. Speaker, that has been created by the Members in this House, and that enemy is tribalism. This enemy has been created particularly by Members on the other side. As I speak now there is trouble in the Western Region, there is fighting between the Kalenjin and the Baluaha; and yet, Mr. Speaker, nobody even expected the Kalenjin to fight the Baluaha; they are supposed to be such friends, but because some of the Members of this House have been preaching tribalism so much, some of the people in the Western Region have no homes and others have even lost their lives, while others have lost their crops. Therefore, Mr. Speaker, I appeal, particularly to Members of the Opposition, to preach unity, not only in this House but also outside.

Mr. Speaker, Sir, I come from Busia District and this district is a new one only just created. Now in this district we have probably the worst roads in this country. There is not a single hospital in the area and we have no secondary schools at all. I understand that the regional authorities

have been given the power to look after these things. Now in my district we look more to the centre for the provision of these services because we realize that there is much poverty and that there is hardly any money to provide these services.

The other day the hon. Member for Embuaya misled the House by saying that the new regional headquarters would provide employment and therefore would reduce unemployment in this country. Mr. Speaker, Sir, I would like to draw the attention of the House to the fact that in the Western Region the so-called towns such as Kakamega and Bungoma are mere villages as compared to the other towns, and it will not be possible for these places to provide any employment at all for the people in that region. I would ask the hon. Member to stop promising this sort of thing because, otherwise the people of the Western Region will come to believe that they will have employment in their own region when this is not possible.

Mr. Speaker, various Members here, particularly those on the opposite side, have seen fit to say that various Ministries have been created which are useless. I would like to warn the House that we on this side are fighting for one Kenya and that the seven different regions are part of Kenya. For example, the Minister for Local Government and Regional Affairs is supposed to look after all the seven regions, they are under the Central Government of Kenya and I would like the Members on the other side to stop preaching disunity—as I said in the beginning—because when they hammer so much on the importance of the regions—

The Speaker (Mr. Stado): You are going back on beaten ground, ground which has been covered already.

Mr. Makokha: I am sorry, Mr. Speaker, but it is a subject that is so painful to some of us, particularly—

The Speaker (Mr. Stado): That is all the more reason you should change the subject. Think of some other things you wish to say.

Mr. Makokha: Since most of the ground has been covered by the other speakers I will end there.

Mr. Waritih: Mr. Speaker, Sir, I rise to support the Motion by the Minister for Finance for this very good Budget which he has presented to this House. It is a Budget which I would say is very realistic, it takes into account the present needs of the country and the national revenue which our present young nation has at the

[Mr. Waritih]

moment. I would say, if one studied the paper, one would find that it can be called a poor man's budget in that it does not tax the commodities which are of common use by the common man. You find that duty has been placed on articles like cosmetics, artificial flies, and imported fruits. It is people like me who have the money to afford to buy these things. I think it is quite fair that they should be taxed. The Budget, you will have noted, does not tax commodities of ordinary use such as sugar, tea, flour, salt and such other items.

Kanu, as a Government, Mr. Speaker, has in the past, as a party in this country, fought for the welfare of the people of Kenya, and it is strange that in this House now, we have been reminded by Members of the Opposition that we have forgotten about the masses. Kanu, as a Government, is well aware that our country is very poor. It is poor in that for the last 60 years the people of Kenya did not have a chance of directing the development of this country. We know there are poor people who have no homes, who have no hospitals. We know there are no roads, no good roads, and all the requirements of modern life are lacking in many of our areas. This, Mr. Speaker, is because the former rulers of this country did not take into account what our people require. However, now we have an African Government which has been fighting for all these things in the past. I am quite sure that this Government intends to provide all these things that we have not had for all these years. Most of the Members on the Government side have fought for years and years. Some have been imprisoned, they have been denied good living conditions, and I do not think that they are going to forget their own people who they have been fighting for all these years. Despite all this, Mr. Speaker, it is impossible for a Government to provide for all the things that they know are being within a very short time. It is the first time that an African Government will be running this country, and despite all these difficulties, it is the intention of the Government to expect everybody in this country, even the Members of the Opposition, to co-operate so that we are able to raise the national revenue of this country.

However, if the hon. Members on the Opposition continue as they are doing now, opposing whatever is put up by the Government, for the sake of delaying the progress of the nation which the Government is running, then we will get nowhere. The Government expects the co-operation of everyone in the country. Members inside the House and outside, so that we can all work together and provide for what we feel is the proper development of our nation.

There has been some criticism that the Budget does not provide for development, and as I said earlier, Mr. Speaker, it shows that some hon. Members have not studied that particular section. There is a provision of £14 million for development, and this is actually stated clearly in that section. There is provision for the formation of a Kenya Development and Finance Company. There is also provision for the development of forests. Education is provided for; more secondary schools are provided, and many more places have more places for school certificate. This will show, Mr. Speaker, that the Budget provides for development. We know that our country has many natural resources which are not developed. But it is only when we plan the economy in the way we want it to develop that we can tap our natural resources. On the other hand, Mr. Speaker, we require the co-operation not only of the Members of the House, but also the channels through which we are able to work; the plans and ideas of building a new nation. There has been criticism of nationalizing the Kenya Broadcasting Corporation, or controlling it. I would say, Mr. Speaker, it is necessary that, at this stage, when we are building a new nation, we should be able to use all the medium of communication at our disposal to be able to put across to the whole nation the new spirit which we intend to build in this country. One way of doing it is through the Press, through the radio, and unless these agencies are prepared to inform the Members of the public of the ideas, the spirit which we want to create, I do not think any Government could function properly if these agencies do not co-operate.

Mr. Speaker, Sir, I would say that the main thing we require in Kenya today is to develop our energy, and to be able to remove the evils which we have in the country. Kanu, as a party, during the elections, talked of the three evils, poverty, diseases and ignorance. It is the Kanu slogan these days to use the word *Harambee*, and we expect everyone in this country to join us in this new slogan and to introduce a new spirit of working together to remove ignorance, poverty and diseases.

With these few words, Mr. Speaker, I support the Motion.

Mr. Kerich: Mr. Speaker, Sir, I would like to ask the Minister for Finance to see that he sets aside some money for marketing, especially some areas like Kericho. In Kericho District we grow tea, and the Kisii District grows coffee. We feel that communications are not up to date, also in the Masai area, since the tourists always come to Masai and we have no railway. I

[Mr. Kerich] would like to make this point clear, Mr. Speaker, to the Minister of Finance.

The question of beggars, especially in Kisumu, where there are so many beggars, I would like the Minister for Finance to set aside a certain sum for these people who are shading the public. Also in Nairobi there are so many beggars roaming the streets begging. The point should be discussed, and the Minister for Finance should do something about it.

The Speaker (Mr. Slade): Mr. Kerich, would you take your paper off the microphone?

Mr. Kerich: Also, Sir, I would like to ask the Minister for Finance to see that he sets aside some money for the underdeveloped districts like Masai and Turkana and Samburu and also the Kericho District.

Mr. Speaker, Sir, I would also like to raise the point about the poor and aged who have no means of subsistence so that they are able to carry on, since they have no means of getting food.

My last point is about African houses. You find in some towns, African houses are crowded, and some politicians have been saying that when the Imperialists go, Africans will get good houses. You see, African houses are very crowded and when somebody comes from another house it seems they are crowded up together, whereas some Europeans' houses are very spacious. We would therefore like to see our fellowmen get good houses. We do not like to see crowded houses in the African quarters, especially in towns. So, Mr. Speaker, I refer the Minister for Finance to these problems.

Mr. Babus: Mr. Speaker, Sir, I must first congratulate the hon. Minister for Finance for the manner in which he has prepared the Budget and also thank all those who participated in the preparation of the Budget which, according to my views, is quite reasonable. To say more about the Budget, I believe that all the criticisms that were expressed in this House were not merely said to defame or underrate the qualifications of our hon. Minister, but I took them, for myself, as being just for his future reference when he prepares the next Budget. Not only so, Mr. Speaker, but I also find that the manner of most of the people in this room who discuss and debate the matters does not go through as the Government or the Opposition. They are still under the influence of Kanu and Kadu, whereas, as hon. elected Members we are now working not only for and on behalf of the constituencies, we should

all work together in the manner of one Government. Moreover, Mr. Speaker, I may also say that the hon. Minister for Finance is not the person to be blamed for the way in which he prepared the Budget. When we say that the Government promised free medical treatment and free schools, this was only mentioned at the rally meetings by the Kanu people as propaganda machinery to win the confidence of the public. As a rule they have, but I do not think that the Government itself promises this. The way the Budget was arranged, Mr. Speaker, was to meet the revenue to be obtained by the hon. Minister for Finance. As a Member of the Opposition I take no offence or have no animosity towards the Members of the Government at all. I know that they are doing their job as the Government. It is the practice everywhere that the Government has to be opposed in one way or another in order to put matters in the correct way. Therefore, I thank the hon. Minister for Finance and all those who have helped him to prepare the Budget which I have already said is quite reasonable to start with in our newly-formed Government.

Hon. Members: Thank you for that.

Hon. Babus: Mr. Speaker, if I would be allowed I would make a statement here in regard to the land question at Mombasa, mostly on the area. I am very sorry to mention it here in the House and I beg all the Members to listen to this carefully before they refer me back to the regions. Mr. Speaker, from Likoni to Mabungo is a distance of about 29 miles and the width of the area from the seaward point is not approximately the same; it differs from one mile to three and four miles. This area has been declared as a prohibited area for the indigenous Africans and it has been fenced off with barbed wire right through from Likoni to Mabungo. The Africans have been forced to quit the area. So, may I please, this House when I mention that the Government could at least do something in order to resettle these lands by the Africans themselves.

Apart from all the complaints that are made on the Mombasa Mainland I would ask the House to give this question priority. The Africans are being driven away from the area and this area is mostly adjacent to the sea where most of the Africans there are naturally fishermen. Of course, they have a right of entry to pass through, but for any cultivation or grazing or building their houses. But moreover I know, Mr. Speaker, that that land is known as the East African Estates and I now find that there is something further going on in that matter. The area is either sold, or rather leased, to other races—especially the

[Mr. Babu] area between Likoni Ferry and Shikadabu and it is about six miles from Likoni to Shikadabu—about one thousand acres has been leased or sold to an Indian who is a dairyman there, and the African is not allowed to enter that area. The other part is still in the hands of East African Estates. Mr. Speaker, I am very sorry that I have only reported this matter to this House, and if it is a matter for the Regional Assembly I shall be pleased if the hon. Members of this House will help the regions to find out and assist the Africans to have at least part of this land for re-settlement. Mr. Speaker, most of the hon. Members know the words "East African Estates" but I do not quite understand where this company came from and whether it is part of the outgoing Government or whether it is part of the Government of Zanzibar or whether it is a company which has leased the land from the Government. We are now in the position of having internal self-Government and in the very near future we will achieve independence followed by a Republic. So, Mr. Speaker, when these Members come to have full authority over the land question, this matter should please be given priority.

Thank you very much.

Mr. Njeri: I rise to congratulate the Minister for Finance for the very able Budget which he presented to this House. The Budget was so complete that the Opposition Members have not been able to offer any constructive criticism. Three days have been spent in debating the Speech. But thinking back I think that very little has been achieved as far as that debate is concerned. The hon. Members of the Opposition keep saying that they want this to be done, that to be done, but they can make no suggestion as to how these things should be done. For example, the Member for Mombasa Island North said the other day that he did not like the increase in school fees, nor the increase of import duties. That is not enough. If he was going to say that he did not like the increase in school fees or the increase of duties, then he should have also said where the Government was going to obtain the money. From which source did he hope that the funds were to be collected?

I also think that it is not good to say that the Government is not doing anything for those areas which are not developed. Here again there is nothing suggested for the money needed to develop these areas. The Kanu Government, I know, is in existence now, but it cannot do everything at once. We have not sufficient money as yet.

I want now to issue a warning. For over sixty years this country of Kenya has been under the rule of the white man. That we quite understand. But I consider that not much has been done for underdeveloped areas. The white man has only been concerned with those areas which were going to be of use to him. He has only looked to places just around him. He ignored dry lands. If you visit the Northern Province you will find that the land there is very dry. Nothing was done about this or about the building of schools or hospitals, or good roads. This part of the country is very behind, as a result, in communications, hospital services, education and many other ways. But the Government is now in the hands of Africans. It is our duty to do all we can to make our people realize that the Government is now for them. If we only increase development and turn our attention only to those areas which are already sufficiently developed, then the people of the Northern Province, Ukambani, and Masai will not understand that the Government is at last for them also. But if we do something for those areas that have been neglected for sixty years, then they will know it is working with them in mind. This is only a warning to the Government, so that they realize that the people are waiting to see what they are going to do. We must not give more money to large towns and to making roads where there are already many roads. Otherwise the people will misunderstand our actions. We must do something for the people who have been suffering for so long. There are areas in this country which do not have even intermediate schools; others which do not have secondary schools. Ukambani is a good example of this. We must help these people.

Mr. Speaker, Sir, I would also like to add something to the Budget Debate. The Budget, as I see it, is complete in all respects, and I think that most people will agree with me. There is no basis for the argument that the Minister for Finance has not done anything for this tribe or that. Money has been set aside for the help of every body in Kenya; not one part of the country or the other. With these words, Mr. Speaker, I beg to support.

Mr. Arap Soli: Mr. Speaker, Sir, I arise to praise the men who framed the Constitution in London. This Constitution is the best one for Kenya. It is not only sound but it is economical. It is economical because most of the matters that were the concern of the Ministers are now passed on to the regional authorities. But I ask this House, Mr. Speaker, Sir, in view of that to reduce the salaries of the Ministers, so that

[Mr. Arap Soll] the money could be used for other things. One of the most important things which should have been considered in the Budget was the salaries for teachers.

In the past teachers have been paid very low salaries. Most of the teachers have gone away from the teaching profession. This Government should have considered what they are going to do for the teachers. The teachers are the busiest men in the whole country. They should consequently be the highest paid people. The Ministers should have their salaries cut to pay these teachers. Glancing at the Budget we see that most departments have been extremely well catered for. But not the Department of Education. Take for instance, the transport in this department. The Assistant Education Officers have to use their own cars, and the roads in this country are very bad. When their cars are damaged they have to walk. So, Mr. Speaker, I must ask the Government to consider the Education Department, and allow more money to be spent on it.

Another thing that I do not agree with is the lack of consideration for Asian children in the Budget proposals. The Minister for Finance increased fees for these children. They seem to fail to realize that most of the Asians are very poor and some have at least eight children.

I do not know how a man with eight children will be able to pay the fees, Sh. 200 a term. The Minister for Finance should tell us what he is going to do with these children. He is creating a problem in the country, he is creating poor people. We do not want poor people, we want to get rid of poverty, ignorance and everything, and this should be done by making the fees uniform in the country. We do not want these racial differences. We want education and anything, such as fees, to be uniform throughout the country, so that I could send an African child to a European school and a European child could be sent to an African school.

Another thing is the question of markets. In most of the country the farmers can produce crops, Mr. Speaker, Sir, but they have no markets where they can sell their crops. For example, in Kericho, farmers produce potatoes, but there are no markets, but they cannot process it because Government, Mr. Speaker, Sir, is doing to see that these people are able to sell their things so that they can pay taxes. I see that the Government is not considering the expansion of markets, which is very important for this country.

Then there is the question of the Ministries. In my view, Mr. Speaker, Sir, some of the Ministries which have been created by this Government should be amalgamated. For example, the Home Office and the Ministry of Justice should be one Ministry. One of those Ministries should be abolished, so that the Sh. 7,000 for one Minister could either go to the teachers or for other development in the country. So I am asking, Mr. Speaker, Sir, the Government to consider the redistribution of Ministries. One of the speakers the other day said that in all countries the Ministers are equal. That was all nonsense. Ministers should be according to the population of the country. They should be created according to the needs of the country and according to its population, because I know of very small countries which have at least one Minister and the officials serving the people. So I think that in this Government many Ministries should be abolished. They had no right to create these unnecessary Ministries as they have done, so I am asking, Mr. Speaker, Sir, the Government to review the distribution of Ministries and to abolish some of them, so that the money which comes from the country could be used for the country and not for a few people in the country. Most of the hon. Members, Mr. Speaker, Sir, on the Government side have tended to say that the money comes from the Central Government. The money, I think, comes from the people in the country and the money should be spent in the country and not here. The people in the country are not getting money from the Central Government, but they are demanding it. It is the Central Government which is getting money from the people themselves. So I am asking the Government, Mr. Speaker, Sir, to consider the country first.

Thank you.

Mr. Nyaga: Mr. Speaker, Sir, I would like to congratulate the Minister for Finance for the magnificent Budget he has brought to this House. I have been in this House for four days now and to the Opposition I would only say that we must co-operate and not waste time. The speeches given by hon. Members on the Opposition have been somewhat irrelevant and, of course, I should say, Mr. Speaker, Sir, that they have all been time-wasting. Why? They have been criticizing the Government, but the criticism was almost useless. They criticized the Budget by saying that the Government has done nothing in their localities, or anything of that nature. The Government has been in existence only two weeks.

If I come back to the previous years' Coalition Government which, of course, the Opposition was

[Mr. Nyaga]

taking, I should say that for the four years it was in this House the Government was useless. Going back to the various localities, Mr. Speaker, Sir, I should say that in Government, the Opposition did nothing for the benefit of the people. Roads are impassable, no schools in very many areas and now they claim that the Government has done nothing for that particular place.

As Hon. Member: They promised.

Mr. Nyaga: Yes, they promised that they would do that, but not in two weeks. We say that Lora was not built in a day. We are here to work for the benefit of Kenya universally. Various Members have been saying that in their areas they do not have schools, they do not have anything. I would only comment, Mr. Speaker, Sir, that if a Member from the Opposition wants to say something, he should say that something has not been done in Kenya, but not on an individual basis.

We say we are to govern for the benefit of all the people of Kenya, we have to die for the people of Kenya and not for one particular section of the people.

Then we had the question of the Ministers and the Ministers' salaries. Members from the Opposition said that the salaries of the Ministers should be cut by 40 per cent and the money be given to some other projects. They should be criticized for so saying. Why? Because it was the same people when they were Ministers who set the very same salaries, and now that they do not have them they think someone else should be allowed to have what they once had. It was an African Government, but you have the Government right here.

Mr. Speaker, Sir, what I would say is that we have been put in this House to work and improve everything universally. To the Members from the Opposition, I would say that if we work and co-operate we shall not waste time, and it is a waste of time to speak of impossibilities. Mr. Speaker, Sir, it has been said on the other side of the House that the Government has not done for the Government has not brought the moon to us. Well, Mr. Speaker, Sir, I do not know just of any country having the moon.

Mr. Speaker, Sir, what I would say is that we have now been here for some four days and we are not here for argument and time-wasting. If we want to say something or if we are debating something, I ask the Members from the Opposition to debate on the basis that this country belongs to all of us.

Mr. Speaker, Sir, if something is to be said, I say now that it need not be argued for four or five days. They ask us what we have been doing. Mr. Speaker, Sir, I can say that it should only take two hours to come to a conclusion, but we have been here talking for four or five days. I would say that we have all come to a compromise and we have all seen that the Budget was really prepared. I think Members, Mr. Speaker, Sir, will also agree with me.

Mr. Speaker, Sir, this being my first speech I realize that the Members in this House have said quite a lot on the Budget and I, personally, do not like to see a lot of monotony and repetition of things. If something has been said there is no need for it to be said again and therefore, Mr. Speaker, I support the Motion.

The Speaker (Mr. Slade): I would remind hon. Members of what I said. I think two days ago, that it is not Parliamentary language to describe the speeches of other hon. Members as a waste of time. I have no doubt that many hon. Members believe that all speeches other than their own are a waste of time. All the same every hon. Member has the right to speak, and they do have the right, of course, to criticize what is said, but not to call other Members' speeches a waste of time.

Any other hon. Member wish to speak? If not I will call upon the hon. Minister to reply.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): Mr. Speaker, Sir, on a point of order, has the hon. Member spoken already?

The Speaker (Mr. Slade): I do not think so. Have you spoken before?

Mr. Gichoya: Yes.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, while supporting the Budget presented to us by the hon. Minister for Finance I have only a few things to clarify. I want to assure hon. Members of the House that we people on this side mean well. We are composed of experienced men who are full of age and knowledge and who have struggled for the freedom of our country for many years. Therefore, we cannot destroy the child that we have borne. We mean to keep peace and security in this country. We are pledged to see that this is done.

We have been reminded of and references have been made in this House to certain things and certain promises we have made. I agree that we have, but most of the things to which reference

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has been made were not pledges, they were maxims and they are contained in this book (the Kanu Manifesto), which I can call the holy book of our party. I would like to make this quite clear to those people or to the hon. Members in this House who have not taken time to read this book. References have been made that we are going to provide free education and free health facilities to our people. The only thing I would ask the Opposition is this: if we could get money today to provide these facilities free to our poor people, would the Opposition support us in our efforts to do so?

Hon. Members: Yes.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): I can say one thing, no mention has been made in our book of any pledge to do those things. We said on the question of education that "we intend". The word "intention" is quite different from the word "promise"—if I am allowed to read just one piece on the subject of health, "the Government will aim at free treatment for all citizens." Our aim is to provide free health facilities for our people and this is quite important because that aim will have to be fulfilled by us. Again on the question of education Kanu intends that every child in Kenya shall have a minimum of seven years' free education. Is that a promise? This is what the Government and our party intends to do for the people of our country.

I have heard also, references being made that our Ministers are always roaming about. They are going here and there, to Uganda, Tanganyika, Ethiopia and we have not got the money for them to do so. But we have a mandate from our people; this mandate is contained in our book. It says that we shall build on the foundation of the E.A.C.S.O. and the East African Common Market and therefore bring the people of Uganda, Kenya, Tanganyika and Zanzibar into a closer political association. We were elected on those pledges and we have a mandate to see that they are fulfilled. Therefore if we are being accused of having no mandate at all may I say that we, on the Government side, pledge ourselves to see that we bring closer association with the other territories in an East African Federation for the benefit of all the countries in East Africa. So, any accusation that may be levied against us is unfounded and just mere political propaganda. I think that some of the Members think that when we address meetings in Nairobi or in Kangundo

we go about saying these things and then do not substantiate them.

Mr. Alexander: Now tell us about the Press.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, I know that some of the Members would like to know what is going on, and I will say one thing. I will tell the Members that the Press is free and we have pledged this. We must create a free Press in Kenya. Some of the Members have been criticizing what is published in the Press but I can show them, for example, what appears in today's *Standard*. I think half of the Members who spoke yesterday have seen their names—or what they said yesterday—appear in this paper. I think if we take an example, the *East African Standard*, all the Members will be satisfied because they have received fair reporting and we hope to maintain fair reporting. That is the intention and the promise we give to this House. We intend to maintain a free Press in Kenya.

Mr. Alexander: A Kanu or Kadu Press?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): The Press will be independent and the Press will have to continue to be independent. The Press will have to help us project the image of the new Kenya and must not aim to destroy the new Government. Here is where we would like the Opposition to work together with the Government so that we can maintain peace and security for the good of our people. We would also like to see that the new image is created for the benefit of the outside world as well, not only for Kenya because everybody is looking at us and they want to know exactly what we are doing in Kenya. As we mean well on this side I hope the Opposition will also mean well on their side so that we can work together.

Mr. Alexander: Now the Kenya Broadcasting Corporation.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): It seems although one hon. Member is trying to lead me up the garden path, but I will not allow myself to be so led.

On the question of the Kenya Broadcasting Corporation I have only a few words to say. The Kenya Broadcasting Corporation has been established as an independent Corporation with its own Board, but this House provides the money to run it. I will explain to you, when I present the Estimates later, what its position and what we intend to do. At the same time, the relation

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between the Government and the Kenya Broadcasting Corporation must be determined by the way in which the Corporation helps the Government in nation building under the present arrangements. We intend to create that image and Kenya Broadcasting Corporation is an instrument to help us. It helps not only the Opposition, it helps the Government and the people of the country and the world at large.

Mr. Alexander: Not the Opposition.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): To help this House that is what I have said. The Government says that Kenya is at a crucial stage in its history. The Kenya Broadcasting Corporation is needed to meet the needs and moods of the people. When I talk about the people, the Opposition says because they want to be referred.

Mr. Speaker, Sir, the Government's intention is to give the Kenya Broadcasting Corporation a staff which is sufficient staff to run it and we have the technical people there, and hope the Corporation will continue to serve the country. This is a challenge and it is a challenge to the Opposition: whether we reflect the image that is required in the country for everybody. When we are satisfied with that there will be no more references, there will be no more references, but we must see that Kenya Broadcasting Corporation interprets and explains to its audiences the principles of democratic African socialism which guide our national destiny. Mr. Speaker, Sir, we intend that it will identify itself with the new Kenya and not the old Kenya. The Kenya Broadcasting Corporation will interpret its role according to the needs of the people; Kenya Broadcasting Corporation as an instrument will give the needs and will provide for the needs of our country. As I have said in the beginning, I just wanted to clarify a few points because at the moment so many people are worried about my Ministry; they think that we are going to bring a sledge hammer and destroy the existing machinery, but as long as this machinery provides the requirements for the betterment of this country it will go on as it is today. The Government's policy is that we are examining it very closely and we are trying to revise as much as possible the ways in which it can help and serve the community without discrimination. That is the aim of the Government at the moment and it will serve—I think this will please the Opposition as well as it will please the Government. Mr. Speaker, as I do not have any

more time to speak, I only wished to clarify these points.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Ongaturo): Mr. Minister, Sir, first I would like to congratulate my Minister on presenting to this House a very practical Budget, and one that is right for this period in Kenya. I must say that in coming here and being a new Member to this House, I have been greatly disappointed by the Opposition. I had hoped that this was a time when I would hear the Opposition offer constructive criticism of the Budget and that from these criticisms as a new Member of the House I would be able to learn, but I am sorry to report that this has not been the case. Instead of the Opposition carefully reading the Budget that was presented and instead of studying and examining the methods that were put into it for solving some of our most pressing problems, the Opposition decided to make the House a place for making speeches such as they make outside. For instance, I was very disappointed with the Leader of the Opposition, because he kept on saying that there were problems and that the Government had not dealt with them. When he was talking about the problems, he made certain wild charges that the Government was "crabbing" the regions and that there was a lot of unemployment. But never during his speech did he say how he would deal with that unemployment nor did he offer to the Government any alternative methods for dealing with it. The Deputy Leader of the Opposition, also, took the opportunity to utter very irresponsible statements, such as an accusation against the Government that it was neglecting places like the N.F.D. with the settlement schemes. These were all catch phrases which did not mean anything and he should know that the settlement schemes are merely a question of buying the old settlers' farms and giving them over to the landless people and as this House knows, and the Deputy Leader of the Opposition should know it too, there are no settlers' farms in the N.F.D. which could be used for this purpose and it is obvious that we must start with things than can be done in areas where it is possible to do them.

This Government is, I believe, very alert to all the problems of this country, and it has stated very clearly in the Kanu manifesto that these problems will be taken over and dealt with. The Opposition have dealt mostly on this question of unemployment and all the time they have repeated that the Government is not doing anything about it. The problem is that the Opposition have not taken the time to read the Budget or to understand it. They should know that people just

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use catch-phrases, they hear that unemployment is a problem and so they keep making statements about it, without knowing what sort of a problem it is nor whether it can be dealt with the same way in Kenya as it is in other countries, such as Britain or any other country of the same standard of industrialization. People should know that when you tackle the problem of unemployment in an underdeveloped territory like Kenya, you must use different methods to deal with it, because there are different causes of the problem. Therefore, what might be used in an industrialized country to solve unemployment—more investment for instance—would not apply in this particular case, and it would not apply in Kenya.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

If you take the situation in Kenya, you will find that there are quite a number of problems and most of them are agricultural. You will also find that we have had more or less what one might call two economies; one consisting of plantation industries such as the large-scale farms, commercial concerns, the commercial banks and so on; and then the other economy consisting mainly of people trying to get their bare subsistence, and that is the subsistence economy. When we attempt to solve any problem in this country we have to have this set down and we have to put this into consideration. Unemployment in this country may be made serious, not by the lack of investment, but, possibly, simply by the quick and rapid change among the people who have been living on a subsistence economy and becoming aware of the other type of economy and becoming dissatisfied. They want to participate in the money economy or the industrial economy and this, naturally, increases the labour supply which may be interpreted as unemployment. Now this is the case in this situation and what the Government is encouraging at the moment—the settlement schemes—could not be a better method of dealing with the problem, in my view, Mr. Deputy Speaker. The Government is encouraging these settlement schemes and they are absorbing those landless people who, otherwise, might come to town to look for jobs and instead they are making decent livings cultivating the land. This is a very practical way of solving unemployment in Kenya and many of the Opposition side do not seem to realize that this is going on, or if they knew of it they do not seem to

understand it. To this effect, money is being given to the Land Bank for this purpose of helping the landless people with loans so that they can earn a living and develop their areas.

Another thing which was mentioned by the Minister in his Budget Speech that seems to have escaped the notice of many of the Members, and particularly the Opposition Members, is the question of taxation. My Minister mentioned that he was not going to impose any export taxes and the reason was that he wished to encourage the agricultural industry and the exports that sustain the economy of this country. These are, mainly, tea, coffee, pyrethrum and sisal. He also wished to give more employment to the people of this country, and in the Budget he stated very clearly that there were certain protective measures whereby the industries that were just starting in this country would be encouraged, and these measures where the imposition of taxation on the same sort of products which might come from outside which will result eventually, in an expansion of the local industries and further employment of the local people. So this is another very practical and very effective way of dealing with the unemployment problem which the Opposition have mentioned so much but for which they are unable to offer any suggestions as to methods that could be used to solve the problem. Well, the Government has found a method.

Now, if I understand correctly the Leader of the Opposition, the hon. Mr. Ngala, he was talking on this problem and he mentioned that many people were hungry and were living on mangoes. I was a little confused, because I did not know whether he meant that the people were living on the mango trees or whether he meant that they were hungry and were eating food confined to the mango fruit. If the latter is the case, and we have to assume that it is, then what the Leader of the Opposition ought to do is to get the people to grow more mangoes so that they can export them and get money for them, and this growing of more mangoes would provide employment. But he did not think of this, he just talked about the problem of unemployment, but was unable to offer any methods to deal with it.

Another hon. Member on the other side talked about stability, but I must say, Mr. Deputy Speaker, Sir, that this country is very likely to keep this Kanu Government, because it is the only Government that will bring stability to this country. A Colonial Government could not do it, and certainly the Kadu Government cannot give stability in this country, so the people of this country are lucky that Kanu is in the Government, and to the hon. Member on the opposi-

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side who mentioned that the Government was doing nothing about stability or had not made any proposals for creating stability, really what the hon. Member should do is to warn his own Members on his side, because if there is any instability it would be caused by Members on the other side, and especially by inciting those areas where the majority is. This can backfire, because if they make so much noise about their areas, then the Government can naturally declare those areas as potentially disturbed areas. In which case they are not going to get investments.

They are not going to get investments. Therefore, I believe that what that hon. Member should do is to warn the members of his Party to remember that and not make so much noise and behave like spoiled children, because this is going to backfire on them. I am just stating a fact. Therefore, in case of stability, I do not think that anyone on look on the present Government as failing. If there is any instability, it will be caused by the Members of the Opposition, and will be caused by the areas in which they are a majority. Mr. Speaker, Sir, the hon. Members on the other side, and the Deputy Leader, who calls himself an African leader, did not understand the word "Africanism" and I would say that any African leader that does not understand Pan-Africanism is like a king who cannot understand the word "kingdom", and any such king should not exist. The Leader of the Opposition also spoke about Parliamentary Secretaries not being in their offices. I think he was thinking of the day when there was a Parliamentary Secretary from his side, whom I had the chance of replacing and I was told in the office that this Parliamentary Secretary only read newspapers and went to lunch. He had the idea that this was all going on. Well, thanks to the intelligence of the people of Kenya, that Parliamentary Secretary is no longer in this House, and unless the Leader of the Opposition is very careful, and unless he does not correct this, his life will always be contradictory, and when he talks of poor people living on mangoes, he also talks of people living in mansions and having a Humber car. If this contradiction goes on, I would like to offer him a very friendly, but serious, warning, that he might fall in the same way as his Parliamentary Secretary did; in other words, he might never see back.

Mr. Deputy Speaker, Sir, I wanted to support my Minister in presenting a very constructive budget which is the right budget for our particular problems that we have, and I also wish to

put it on record that, personally, I have been disappointed with the Opposition, because the only reason why the Opposition should be in this House is that they should offer constructive criticisms which could benefit the Government in planning projects for this country. They have failed to do this, and this is the only reason that could make their being in this House worthwhile and this is a poor show.

The Parliamentary Secretary for Labour and Social Services (Mr. Odeoro-Jowi): Mr. Deputy Speaker, Sir, I think this debate has been valuable, and I find it valuable first, because we have had a whole train of complaints from the other side, some of them seriously meant, and I think we on this side are bound to take them seriously because we have a duty to this country. This Budget Debate has, on the other hand, gone a little astray, because the tone set by the Leader of the Opposition was not the right tone. I expected him to use in a Budget Debate like this. The Leader of the Opposition started by putting forward wild criticisms against the Government, in a way I thought he should not have done. This is a Budget Debate, Mr. Deputy Speaker, and we are bound to criticize the Government on points regarding the Budget. Of course, I understand it is a free debate and we can take off and think about almost anything ranging from politics, philosophy, economics and so on. Mr. Deputy Speaker, Sir, I believe that this is all right, but when it comes to certain specific proposals in the Budget, we should treat them on their merits, we should take them and either disagree with them or support them as they were proposed, by the Finance Minister. The Opposition has said that this Government is doing nothing to deal with unemployment. There is no doubt, Mr. Deputy Speaker, Sir, that unemployment is a serious problem at the moment. This City is full of people looking for jobs, it is full of people wondering what they will eat and where they will sleep. The countryside is full of youths roaming around without jobs. At the end of this year, our schools will be turning out scores of youths who will not find a job to settle in. It seems that the Opposition thinks that it is only they who know these things, and not ourselves. Mr. Deputy Speaker, Sir, unemployment is serious, and it began assuming serious proportions not today, but last year and even the year before. Our industries cannot absorb as many people for employment as they used to do. In the countryside, there is chronic unemployment; there is also under-employment and as youths leave schools, they find neither jobs in the countryside in agriculture, nor can they find employment in the towns and industrial areas.

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Now, I know that political uncertainty during the last two years is largely responsible for the unemployment we find in industries. I beg to inform the House, Mr. Deputy Speaker, Sir, that this political uncertainty was largely due to the pronouncements and the political pressures introduced by the Opposition. I think we have facts and figures which show that the moment our friends started pressing for a regional constitution, this is the time when uncertainty, and lack of capital investment began to affect this country. It is true also that as long as they press for this unknown kind of constitution, more and more investors, who should have brought money into the country, began waiting and everything became static. I think the Opposition must take the blame for the unemployment we find in the country. They should also take the blame for the lack of determination in the development of the country.

Fortunately, Mr. Deputy Speaker, we now have a national Government; a Government which has some of the leading brains in the country, if I may say so; a Government which has some of the leaders with world-wide respect. I think that this is going to give the country the stability needed for the kind of development we all wish to see.

Mr. Deputy Speaker, Sir, turning to the Budget, I would like to point out this. The Budget was a transitional Budget. It was not a Budget which we will expect to hear two years from now. Kenya is in a state of transition, and I think the Finance Minister has very ably given us the most suitable transitional Budget. The Opposition has complained that in the Budget there are no indications that this Government will fulfil some of the pledges and promises that were made during the elections. One of the promises we made during the elections was this, and with your permission Mr. Deputy Speaker, I will quote: "Immediately after the elections we shall negotiate with the British Government for the holding of a final Constitutional Conference. At the meeting the necessary arrangements for Kenya's early independence will be made." Mr. Deputy Speaker, Sir, right now, we have a delegation in London and we all know that the delegation went to London in order to fix the time for the next Constitutional Conference in London, and we know that through their pressure this is going to be held as soon as possible. Now, I wonder, if the gentlemen on the Opposite side had formed the Government, with their habit of waiting, with their habit of preaching, whether it would not have taken us another year, or longer, to reach the stage we are about to embark upon now?

Mr. Deputy Speaker, the other pledge the party made was that we were going to speed up the formation of an East African Federation. Now the fact is that this is being realized much earlier than any of us thought. The fact is that the speed of these Constitutional changes in Kenya and East Africa is scaring the Opposition so much that they are trying to hold to this already outdated Constitution which they imposed on the country.

Mr. Deputy Speaker, Sir, we have been accused of not doing something to solve the problems of unemployment. Already the previous speaker has outlined some of the measures this Government has already announced to reduce unemployment, and also I would like to inform the House that the various Ministries and Departments are working on these problems. My Ministry, for example, is stepping up the efficiency of the employment service. We have several employment exchanges in the country which have hitherto done very little to bring the unemployed and the prospective employers together. We are changing the functions of these employment exchanges so that they do the service much quicker and so that the unemployed do not roam around for weeks without knowing where they can be employed. Secondly, Sir, my Ministry is also encouraging the vocation service which we hope will help school leavers to make up their minds about employment in time. A part of the problem has been that a lot of the youths from schools have not known what jobs they are suited for, and I am glad to inform you that we will soon be in a position to advise schools and training institutions on this problem, so that when youths leave school they will know where to find jobs. Mr. Deputy Speaker, Sir, we realize that this is not enough. We realize that the task and the responsibility of this Government is not only to create employment. Our task is to see to it that from year to year there is more and more employment. Our responsibility is to see to it that from year to year the standard of living of our people is raised, and we know we are going to do this because we have the resources. Although these resources are inadequate, we are going to economize as far as possible, and these economies will, I am sure, make it possible for us to move a long way in solving some of these economic problems we are facing.

Mr. Speaker, Sir, it seems as if the Opposition does not realize the value of international relations to a country like Kenya. It is because of this ignorance that they have attacked by saying that we have created many unnecessary ministries. Particularly, they have attacked the

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Ministry of Pan-African Affairs. Now, I would like to inform the Opposition that any country which neglects foreign relations can lose a great deal even if it has money, manpower and resources. Our relations with African countries are most vital and it is illogical for us to try and cross to countries overseas before we stabilize our relations with neighbouring countries. This is the logic behind the creation of the Ministry of Pan-African Affairs. I am glad that Kenya has taken a lead in this and I can assure you that very soon many other African Governments will try to emulate our example.

Secondly, we have a Ministry of Foreign Affairs attached to the Prime Minister's office, because we know that we need to know what is going on around us. We need a lot of capital from foreign countries and we cannot afford to leave it only to the Ministry of Finance or the Ministry of Commerce and Industry to conduct the negotiations we need with foreign countries. These are political negotiations to be conducted with other countries, there are negotiations for loans and other things, there are trade and commercial negotiations, and if we can do these things efficiently and if we can co-ordinate the work of these Ministries, I think it will prove to be one of the greatest assets this country can be proud of. Mr. Deputy Speaker, Sir, we have been cautioned against speaking on regionalism but I would like to make this remark—

The Deputy Speaker (Mr. De Souza): I would rather you did not as the Speaker has made the ruling.

[The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowj): Right, Mr. Deputy Speaker, I will refrain from that.

Mr. Deputy Speaker, Sir, this Government is conscious of its responsibility and I am glad we have been reminded about some of these in the right spirit, but on the other hand I am really surprised that so many of the criticisms which came from the Opposition were not followed up by concrete examples of how the Government should do this or the other, but the Deputy Leader of the Opposition did wax eloquent on the state of the common man. Now, when I watched him speak, Mr. Deputy Speaker, I thought he was behaving as if he was addressing a public meeting; he was just raising his voice, working on the emotions and nothing more. He did not make any concrete suggestions as to how the common man can be helped.

Finally, it seems to me that the Opposition thinks the Government has all the money and all the resources as well as all the technical know-how, because if they realized that we have a shortage of some of these things, they would not have made some of the wild accusations they made.

Mr. Deputy Speaker, with this I beg to support.

[The Parliamentary Secretary for Health and Housing (Mr. Waiyaki): Mr. Deputy Speaker, Sir, I had not intended to speak today but I see that there is a shortage of speakers and there is a risk that the Minister for Finance may have to reply prematurely. I have therefore hurriedly collected my thoughts together on a number of points, which I wish to put across.

From the speeches made by the Opposition, I received the impression that they were engaged in trying to maintain the Constitution as it is, despite the fact that they had been told by the man and woman in the street that they had no mandate to continue to speak on behalf of this country. They are here now merely to watch the Kanu Government do things which they promised, in their manifesto and to try as best they can to criticize constructively the Government's moves in the various departments. If it should become clear that their intention is merely to block, naturally the Kenya African National Union Government has got the strength—as you can see the benches are still full, despite the fact that there are so many absent—to carry on. I would say that that was a better threat than the threat which came from the Opposition, namely, that there should be a risk of Kikuyu, white and black starting wars should the Kenya African National Union carry out their mandate. However, I think the main thing is not to engage in wrangles. In fact, I want to congratulate a Member from the Opposition, the hon. Member for one of the Masai seats, I think it was Mr. Otieno, who said that we were not here to exhibit our powers in debates, or to shout merely that we were here to represent the wishes of our people from whichever constituencies we came from, but that we were here to represent our people right through the length and breadth of the country.

I want to say, therefore, that I personally, especially in the position as a member of the Government, would be interested in what goes on right through this country, and although I represent the North-East Constituency of Nairobi and therefore I have to fight for better roads in this district, for the settlement of my people in Karibandi, Kabawa and the rest of these places, nevertheless I think I should be much

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more concerned with the rest of this country as a whole. Therefore, let us not lose sight of a few facts. We have said that we want independence for this country, and that independence is not yet with us. Indeed, I was very horrified, and surprised, to find that the Opposition objects to a trip by three Ministers of the Government to the United Kingdom to see the Colonial Secretary and to demand a date very quickly for independence. It looks to me as if the Opposition have got to a stage where they are going to criticize everything, including what is in their own manifesto.

We are concerned to get independence very quickly. Might I say that whereas the Minister for Finance has done an excellent job, I would not expect him to be the happiest of men in this House. There are so many things we want to do, there are so many things that the Kenya African National Government wants to do, but cannot do because of the lack of funds. If the criticism of the trip of our Ministers to London had been levelled on the grounds that there had been a shortage of money, I would have understood. I would have appreciated it, but I would have said, nevertheless, that we had to go on. However, the criticism was made on the grounds that they were merely wasting time. We want to see quickly an East African Federation; we want to see quickly unity of Africa. In Kenya we want to see quickly, despite what the Opposition says, a republican-type of Government, because we believe that through that kind of Government we can express ourselves best and do best the things we want to do. We have openly said that we believe in a socialist state with equality of citizens.

Now, if people are going to criticize the fact that school fees in Asian and European schools have been raised, and try to accuse the Kanan Government of racialism for that one fact, might I know from the Opposition, Mr. Speaker, whether in fact they have supported all along the inequality that has existed in the past and were given to the different types of education? We have had European, Asian and African education. Do they not want to see, now that we have an African Government, a levelling up, that those who have been underdogs all these many years should at least now also have some breathing space? Why should it be regarded, Mr. Deputy Speaker, as racialism merely because there is a slight increase in the fees of European and Asian schools?

There have been complaints about health and I have taken note, particularly of speeches made

by the hon. Member for Lamu, Mr. Sono, and I have had also a private complaint from a hospital in Karachuonyo, and we have had in the Press a write-up on a Kikuyu hospital near here. I have also got a memorandum with me on the health of those on the settlement schemes, particularly those at Mikongi and Malewa and Kipkoi. Our Ministry is interested in the health of all these areas and I, as a Parliamentary Secretary, can promise that I will do my best to see that things are done. But I want to remind the Opposition that their criticism of lack of funds for the health schemes in their areas is invalid. In fact, in the Estimates of Recurrent Expenditure—I do not wish to infringe on the job of the Finance Minister—but if you look at page 80 of that volume you will see there an estimate of the 1963/64 net Recurrent Expenditure distribution between Nairobi and certain regions. In Appendix I you will see how much money has been voted for the various Ministries to your so-called regions to carry out their programmes. The Opposition, as the Minister for Finance says, merely criticizes in ignorance; if they had an expert on matters of Finance on their Benches he might address them a little—

Mr. Oloibato: On a point of information, Mr. Deputy Speaker.

The Parliamentary Secretary for Health and Housing (Mr. Waiyaki): I refuse to give way. I do not require any information from the Opposition. What I wanted to say about health is that due to the present happy Constitution we, in the Ministries, have responsibilities for inspection of the establishments that you have in your regions. We must see that standards are kept up. But it is up to you to decide that in the Coast Region all the money is going to be spent in Mombasa or a little is going to be put aside for Lamu. Our attitude will be that we want to invest in health. The hon. Member Mr. Khasakhala touched upon the King George VI Hospital. He said that patients were dying without the attention of a doctor. If that is, in fact, true—and I am going to investigate with my Minister—then, naturally, that is a very serious thing. If they are dying because of a shortage of doctors, it means that this House must note that and do something about this very serious situation.

We have heard that here were too many Ministers, but I regret the fact that we do not have a Ministry of Youth and Culture. The Youth of this country have been doing a very great job for whichever party they were in, and in fact, at other times, they even died for this country. I would have liked to see something organized for the Youth of this country.—

Mr. Alexander: What about the Ministry of Social Services?

The Parliamentary Secretary for Health and Housing (Mr. Waiyaki): No, I would have liked to see a particular Ministry concerned with youth and the development of culture. I am not saying that is a matter for the Government to consider. I am only raising it here because it is the only opportunity that I will ever have as a Government Officer to present it.

There has been talk about the Army. It was the Leader of the Opposition who mentioned it. He said that the Army consisted of the Wakamba and the Kalenjin tribes, who would have supported a Kadu Government, but I would have said that they would have given their support to a Kanan Government. I do hope that the Army is made more representative of the people of this country as a whole than it is at the moment. We know that it was the intention of the Colonialists when they were here to use it against particular sections.

(The Deputy Speaker (Mr. De Souza) left the Chair)

(The Speaker (Mr. Slade) took the Chair)

But, now that we have an African Government in power, I expect the Government to do something about enlisting the efforts and services of tribes other than those already in the Army.

With these few words, I beg to support the Minister for Finance.

Mr. Omondi: Mr. Speaker, Sir, I would like this House to know that we have got the best Budget that we have had for many years. The Government is accused of having done nothing for our people, and not fulfilling the promises that we made. But this Government is just like a man who has married a wife and is being accused of having a child three weeks afterwards. As we all know, it takes over nine months for a woman to deliver. Our promises may not be delivered for a year. I have spent most of my time in the Rift Valley, and many of the Members from these regions particularly Baringo, where I have my Maternity Hospital, have spoken about hospitals. I have wondered whether they really mean what they say. I have my reasons for knowing that they helped to see that my Dispensaries at Majji-Muzni and Makutanio were demolished. I am not trying to make groundless allegations, Mr. Speaker, because if you want more evidence I can supply it. I wish that both hon. Members for Baringo were here to listen to this. This was done because I am a Kanan Chairman in that

district and for no other reason. We do not want to destroy our people simply because we have partly hostility.

I have served as a Government employee for over sixteen years in my capacity as Medical Assistant. I know what our people want, particularly in the line of medical services. I have served in Baringo most of my time as a Medical Assistant and I am very proud to say that I put up for our Baringo people, a Maternity Home, which is even bigger than the Nakuru Provincial Maternity Home. I think that I am the first in Kenya to have a private Maternity Home of that size. Coming here only to criticize does not help the hon. Members from Baringo, because they do not seem to realize that Baringo is a very backward part of the country and it needs the work and the support of Baringo leaders like the bon. strap Moi, etc. These Members should not come here and fill the House with mere words or empty words.

They have talked of schools and one of the Members from Baringo talked of no schools in Baringo. That is true, but who is to blame? The Member for Baringo, the hon. Mr. Moi, was Minister for Education for some years and yet did nothing to give the Baringo people even a secondary school. Now he comes here to tell the Minister for Finance that he has done very little. Baringo, as I have said, Mr. Speaker, Sir, is a very backward part of the country and I pity it, but these gentlemen from that area have done very little to help it. They have only one secondary school, and only one secondary school from last year in that big district. We have only one hospital in the whole district; a maternity home of only twelve beds, and yet when I give them a maternity home of thirty beds they call it very small. I do not understand what they really mean. Maybe they are not interested in their own people but interested in arguments.

Mr. Speaker, Sir, I would like somebody to go into the details and to find out why my dispensary was demolished at Makutanio and another one closed at Majji-Mazuri when our people need hospitals and dispensaries. These were put up for the benefit of my people and somebody who must have been jealous of seeing Omondi being a *bwana makubwa* went down and closed all these dispensaries or pulled them down. This is the time when I would like somebody to investigate.

Coming to my maternity home, which is serving an area of about sixty miles in diameter, the people in general are very pleased with this maternity home and they come from very far, for confinement and they realize they must come to the hospital for the hospital facilities. But if

[Mr. Ornam]

these Members from that area want to discourage people from coming to my maternity home simply because I happen to be in the wrong party, which they do not like, I was wondering what they mean by criticizing the Minister for Finance, saying that he does not give hospitals or money for hospitals, and things like that. Self-help must be our goal and that is what I have been trying to carry out, Mr. Speaker, Sir.

With these very few words, I wish to support the Minister for Finance and tell him to go ahead. Thank you.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I must congratulate the Minister for Finance for the most balanced and, I think, the most reasonable Budget which he has presented to this House. I think I can also say that this is one of the best Budgets we have had in this House, and I am sure my views are supported by what we have heard in this House.

It is true that many Members of the Opposition have tried to criticize here and there certain parts of the Budget, but I can say that most of the criticisms which we have heard from the Opposition were entirely irrelevant to the Budget, and this proves that the Budget was so good to everyone that almost everyone had nothing to criticize in the Budget.

We have heard a lot of cries from the side of the Opposition, especially from the Leader of the Opposition, that the Budget concentrates all the money in the centre and leaves nothing for the regions. I think the difficulties which this Government is going to face and which we are facing now are entirely the creation of the Opposition in the past. Some of them were created during the Lancaster House Conference, at which time the Opposition wasted many valuable weeks crying for the transfer of many social services from the Central Government to the Regional Assemblies.

The Speaker (Mr. Slade): Mr. Kaggia, you are getting back on to the subject we have heard enough about.

The Parliamentary Secretary for Education (Mr. Kaggia): Yes, I will not mention it again, Mr. Speaker. I think that that was the reason why we have to face all these difficulties, and I think that was not a real criticism of the Budget.

Most of the criticisms, as I have said, have been irrelevant, but I think some of them,

although irrelevant, must be answered. It has been claimed that we of Kananu promised free education and free medical services. That is true, and that is our aim, and we are determined to see that this aim is fulfilled, but I think the Leader of the Opposition said himself that he had a hand in preparing this Budget. That must be acknowledged the fact that this Budget was prepared a long time ago, before Kananu took over. So I think if the Opposition would like to try anything about free education, they should want to ask us during the next Budget debate. But whatever is said, it will be one of our many tasks to try and see that we fulfill the promises which we have given to our people in the term of our office.

The other thing which has been mentioned by the Opposition is unemployment. Unemployment is not a new thing in this country, it has existed for many years, and the Opposition had ample time to try and do something about it when they were in, first as a Kadu Government and, second, when they were in the Coalition Government. One thing I must say, Mr. Speaker, is that we are sure that this Government of ours will do a lot to remove unemployment. The fact that the Kananu Party has formed a Government is going to remove most of the hostility which was first caused by Kadu and again caused by the Coalition Government which was previously before us, as it could not make many decisions and many foreign investors were not sure whether Kadu or Kananu was going to form the next Government. Now I am sure that Kananu is the only Party that is capable of providing a stable Government in this country, and this is going to attract many investors, which will result in the introduction of new industry, which will provide employment for many of our people.

I have always thought that in this country there was no need for an Opposition. My reason has been that Kananu and Kadu have always been in one objective, and this objective is to see our country freed like other countries, from the yoke of colonialism and imperialism. There has not been any party in this country which has been opposed to that idea, and, therefore, I have always thought that one party could lead this country better than having an Opposition. I think anyone who studies the speeches which we have heard from the Opposition, would take my view because I have always believed that the use of the Opposition is to offer constructive criticism, but not to try to be a stumbling block in the way of the Government. The way the Opposition behaved during this debate showed very clearly that they had no intention of making a

[The Parliamentary Secretary for Education]

single thing better in the Budget, but that they were only trying to have something about which to criticize the Government, whether relevant or irrelevant.

Therefore, Mr. Speaker, I would ask the hon. Members on the side of the Opposition to see that their role is played constructively. The Government will always welcome constructive criticism from the Opposition Benches or from anybody else, but I do not think that such opposition as we have had during this debate will serve any purpose or help us to create what we want to create in this country.

I am sure that the Opposition would agree with us that our Government is faced with a very great task. Our country has remained under the Colonial Government for a very long time and we are inheriting a lot of difficulties in running our country and we have to extract our country from the exploitations of the Colonial Government which have gone on for many years. We think we have already got enough difficulties and we would not like to have more unnecessary difficulties added to those we have by the Opposition. Therefore, I would appeal to the Members, Mr. Speaker, of the Opposition to co-operate with the Government in creating a better Government than what it has been in the past. They should co-operate with us in removing all the difficulties which are before us so that we can provide the things we have promised to our people. I think it is the duty of the Opposition—and indeed the duty of the Government—to see that all the mistakes which have been made in the past are corrected. I would add that many of the Opposition Members had a bit to do with many of these mistakes.

Mr. Speaker, I do not want to make a long speech on the debate. As I said the Budget Speech was so good—and so good to me personally—that I have nothing to criticize, except I wanted to make these few remarks on the criticisms which we have heard from other Members.

Therefore, Mr. Speaker, with these few remarks I beg to support the Minister for Finance.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, first of all, I would like to say what a strange thing it is that we have in this House. They come in and they concentrate in attacking the Budget and the Ministers, they know full well that the debate is beginning to collapse, they know full well that at the end of the debate the Minister starts answering and there is nobody in the Opposition benches. So I take it, Mr. Speaker, that

they do not want to hear any replies from the front benches on this side to the questions which they have put. So therefore, Mr. Speaker, I do not intend answering any questions put forward, as far as agriculture is concerned, by Opposition Members. I see that none of the four Opposition Members who are in the House now asked agricultural questions so I will answer agricultural questions that have been raised by Members of the Government back benches.

First of all, Mr. Speaker, I would like to point out that we have, in Government, put forward an investigating committee to advise Government on the proposed agreement between Mitchell Cotts and the Pyrethrum Board of Kenya. The members of this investigating committee are Mr. Mwai Kibaki as the Chairman, Mr. Storar and Mr. Ridley. This committee will be carrying out an inquiry and will take into account in that inquiry a report submitted to Government by Mr. Beshgaard, Q.C., and they will also take into account and look into the proposed agreement which is being put forward by the Pyrethrum Board of Kenya and the Mitchell Cotts group. It is hoped that this committee will be able to report to Government in the very near future and that when we have this report the Government will be able to make known its views on the agreement.

Mr. Speaker, a point was raised on cash crops by an hon. Member on this side of the House. I have seen to it that the report done by Mr. Brown, who is Acting Director of Agriculture, will be circulated to all Members of the House. I do not want to talk to that cash crop paper but I hope that the Agricultural Vote will be one of the Votes discussed in this House in the next few weeks and we, on this side, will take the opportunity of debating that Vote and of talking about this report.

I would also like to tell the House that, at the moment, the Government has approved the setting up of a Production and Marketing Section in the Ministry of Agriculture. One of its many tasks will be an important point which was raised in this report; that is the task of ensuring close co-operation between production and marketing.

Mr. Speaker, another Member on this side of the House asked whether we would be able to debate the I.B.R.D. Report. I would just like to explain to that hon. Member that the Sessional Paper covering this Report was laid in the Assembly by my colleague the Minister for Finance, and should any Member—either on the back benches of Government or on the Opposition side—wish to debate this Paper then all he

[The Minister for Agriculture and Animal Husbandry] has got to do to move a Motion asking that the Sentential Paper be debated.

Mr. Speaker, I would also like to inform the House that Government intends, within the next few weeks, to send a delegation, led by a Minister, to visit the Eastern European countries. First of all in Europe where the visit will include Russia, Eastern Germany, Poland, Czechoslovakia, Hungary and Yugoslavia. If this trip is successful, we will then consider a similar delegation, again led by a Minister, to the Eastern countries and the Eastern Communist countries. It is hoped that we will be able to discuss with these countries the sale of our surplus agricultural products and also to find out from them if we increase production in certain commodities whether they will be able to accept those commodities or not. To mind come pyrethrum, maize and coffee and it is hoped that, arising out of discussions which I am having with these three industries, that people from these industries will accompany this delegation, led by a Minister of our Government, to these countries.

I would like to take this opportunity, Mr. Speaker, of mentioning one factor which we have in the Government at the moment and that is the position concerning abandoned farms, or farms which are ineffectively occupied or managed. The situation, unfortunately, Mr. Speaker, is leading both to lawlessness and very bad land use on these properties. It is very discouraging to farmers in the neighbourhood of these farms who are genuinely trying to do their best and are developing along sound agricultural lines. I would like the House to know that Government is considering proposals for dealing with the situation and I hope that when we come to our Agricultural Vote I will be able to tell the House just exactly what we are going to do. I would like here, Mr. Speaker, to sound a note of warning to the registered owners of abandoned farms or badly farmed farms that it is the Government's intention to take very firm action and I think the action will mean that we will, as a Government, take over these farms and then decide whether we shall operate them as national farms, whether we will settle them, whether we will resell them or whether we will re-lease them. But what we do intend doing in the very near future is to see that this land is abandoned no longer and lies ineffectively farmed no longer.

Mr. Speaker, I would also like to spend a few minutes discussing Government's views on the Statutory Commodity Boards. I hope again, when we come to the Agricultural Vote, to be able to

speak at greater length on the Government's views on these Boards, but meanwhile I would like to tell the House that it is our intention to re-examine each and every single one of these Boards. I am afraid that in every case of these Boards are going to have to be reconstituted, especially as a great number of them are affected by the Constitution. Under the Constitution a Statutory Commodity Board, which has any quota system operating or a system of rationing of production, must have under the Constitution a member from each of the Regional Assemblies. This means that there will be a great reorganization in the constitution of a great number of Boards such as the Maize Board, Dairy Board, the Pyrethrum Board and others that operate, as I have said, under a quota system or a system of rationing from different areas. But over and above these Boards, Mr. Speaker, it is Government's intention to reconstitute most of the Statutory Boards and to see that the producer has a say on the Boards and that the Government itself has, through the powers of nominations by Government on to these Boards, a large say in the direction and the running of these Boards. We also feel, as a Government, that we must utilize on these Boards the best commercial and technical brains that we have available in the country. So it is with these various ideas in mind that Government is now looking at the Statutory Board and, as I have said, Mr. Speaker, we will, I hope, be able to give the House more in detail when we come to discussing the Agricultural Vote.

If I may just revert to the Pyrethrum Board, Mr. Speaker, I want to make it plain to the House that this investigating committee is not investigating bygone worries and troubles of the Pyrethrum Board. What they have been asked to do is to take into account what has happened in the past and to learn from past mistakes. They are not being asked to look into what has happened in the past or to report on what might have happened in the past. The Pyrethrum Board, as the Members of the House well know, has had quite a shaking itself within the last two or three months. Its chairman has gone and there is a new chairman; its chief executive officer has gone and there is a new acting executive officer; and there have been resignations within the Board. Now, at the present moment, Government is quite certain that the Board is competent to carry on with the pyrethrum industry until such time as this investigating committee investigating the proposed agreement between Mitchell Cotts and the Pyrethrum Board can report to Government. The moment they have reported we do intend, as a Government, Mr. Speaker, to take immediate action. (The Debate continues)

[The Minister for Agriculture and Animal Husbandry]

There were a number of questions which were raised by Opposition Members. Mr. Speaker, on matters of settlement. It is unfortunate that the Minister for Settlement is far from well and it is also unfortunate that the Parliamentary Secretary for Settlement is ill in hospital, but they did ask me whether I would be prepared to answer on their behalf a certain number of the questions which were raised. But as I look around the benches of the Opposition side I find that either of the three Members who asked these questions are here in the House to listen to the replies; I can only feel that they are not really interested and therefore, Mr. Speaker, I will not bore the House with replies on settlement which I would have given had they been in the House.

So I would like to end, Mr. Speaker, by supporting the Motion.

Mr. Sadalla: Mr. Speaker, first of all I would like to thank the Minister for Finance and Economic Planning for the hard work he has put into preparing a balanced Budget and I would like to urge him to ignore the grumblings of the Opposition. It will be remembered that the hon. Members of the Opposition were in the Government for about two and a half years and during this period they did nothing to further the wishes of the masses economically. This I believe is because they spent most of their time thinking of ways to create *Majimbo*, which is today causing a lot of trouble in Kenya.

The Speaker (Mr. Slade): Mr. Sadalla, have you attended this debate at all during the last three days?

Mr. Sadalla: Yes, I have, Sir.

The Speaker (Mr. Slade): Have you heard what I had to say about this subject? Then please observe what I said. Leave this subject alone.

Mr. Sadalla: I am sorry, Mr. Speaker.

The Speaker (Mr. Slade): Carry on talking about something else.

Mr. Sadalla: I would like to say something about the distribution of the finance. For example, in my district, Baringo, and other such districts, I have seen a lot of cattle dying, because there is not an adequate water supply for the cattle as well as the human beings. I remember when I returned home over the week-end I was told by the people that they had heard of a plant to provide water supplies for that district and they had hoped that when Kanu took over the Government they would see to the carrying out of this

plan. The Minister for Finance and Economic Planning should do something for the mass of the African people who are both jobless and landless. I would ask him to try to finance, or to help with advice, ways to create cottage industries and factories to help the unemployment situation.

The hospitals and dispensaries in my area have, during the past months, been short of medicines. I would like to ask both the Minister for Finance and the Minister for Health to do something to see that we do not have too much medicine in the hospitals in Nairobi while the hospitals outside the city have not enough medicine and the people are dying.

Yesterday we heard an allegation by an hon. Member for the Usain Gishu who said that the squatters in that district had no place to live because they were living in the Scheduled Areas. I would like to refute the allegation because the Kadu Government, which is composed of Members from that region, failed to help to resettle these squatters. I do not see why they should come and blame the Kanu Government, which has hardly taken up its position, for not settling those farmers.

I would also like to say that the Government should try very hard to help devise means of getting water into the drier areas. Some form of irrigation should be started whereby the drier parts of the land could be used to produce crops for the people.

With that I end my speech, Mr. Speaker.

Mr. Bala: Mr. Speaker, Sir, I wish to congratulate the hon. Minister for Finance for the good work he has done, and for the balanced Budget that he has presented to the House. So far I have been listening very attentively so as to hear some constructive criticism from the Opposition, but none has been forthcoming. Instead, we have been given sweeping speeches and statements. In fact, I have nothing very much to say about the Budget, because it is so balanced and so well done. However, I have a few observations to make. We people from Nyanza Province have certain grievances which we would like the present Government to do something about. Of course, in the past, we have either had a Kadu Government or a Coalition Government who actually had no powers to decide anything with regard to major projects of development. Now that we have a Government of the country, a Government of the people, who is going to look after the welfare of the people, we know that the public expect many services from us and they expect so much from us that unless we have careful and proper attention from the Press,

[Mr. Bala]

misunderstanding will arise. So far it appears that the Press we have in the country have been biased against the Government, and I think it is time that the Government should have a sort of "mouth-organ" which will give the public true information regarding what is going on. The instance we had here recently, when the hon. Minister opened this debate, was that the Press only mentioned that the Opposition was given the upper hand, and was making sweeping statements. The public were not accurately informed about what was going on. I wish that the Government would negotiate with the present organization owning the Press and arrange to have a sort of "mouth-organ" for the Party. In places like the England we speak of newspapers like the *Daily Telegraph* for the Conservatives, et cetera. In Kenya we should now have a newspaper which will give us accurate information regarding what is going on in the Government so that our brothers in Tanganyika and Uganda will know exactly what is going on in the country.

Now, there are a few things which I would like to bring to the notice of the Government. We people in Nyanza have a town known as Kisumu, and time and time again many people have complained that the last Government did not encourage people to live in towns like Kisumu. They should have created many industries which would employ, or which would give employment to many people. So many people have been coming to Nairobi, which is the only place where there is industrial development. By so doing, I think the young public and the people living in the countryside have been losing a great deal. If we had had more industries in other towns in the country, then some of the people who grow vegetables and rear chickens, and so on, would be able to find market-places for their goods. I know that there have been some weaknesses in the Ministry of Commerce and Industry in the past, and this is not going to be repeated by the Kanu Government. I would suggest, like other Ministries, we have departments, or people working in the field, but in this particular Ministry we have the Ministry in Nairobi and, in fact, there are no people in the field who can encourage and help traders or the beginners like Africans who are now coming into the industries. If the present Government could have certain people in the field who could encourage the new people who are beginning to enter into industries, I think that we could have many people in industries. At the same time, in the course of last year, there were various projects for giving loans to the Africans who wanted to start industries. We had the Minister for Commerce and Industry at Kisumu,

and also his Parliamentary Secretary, and we had various meetings with businessmen and, in fact, some of us put forward certain proposals, but no replies were received. I think such irresponsibility will not be repeated by the Kanu Government, because our people expect services, and they expect to be encouraged. If they are encouraged to come up in the industrial world, at least the Government would be able to increase the revenue, either by increasing taxes or by indirect taxation. However, the experience we had in the past, was that most of the businessmen are expected to find their own way, and expected to use their own brains, and the moment they make profits the Government comes in to ask for certain revenue, either by way of income tax or indirect taxation. I feel that these people must be encouraged, so that the more they are encouraged to have more businesses and more profits, the Government will also benefit in that way, and at the same time they will also have more people in employment who, otherwise, would not be able to pay their taxes to the Government.

Now, there is a general tendency—and I see it mostly in Central Nyanza—for certain people to be detained in the country for the purpose of paying off their poll tax. These people are being used for clearing roads and things like that, so that they are able to pay their taxes. Sometimes they are detained for three or even four months. However, I feel that sort of action is not very profitable. There should be ways and means of getting these people to pay their taxes. Perhaps the Government could find ways of getting these people employed in agricultural enterprises, and they could be employed on contracts of about four or five months, and by so doing they would earn their living, and at the same time they could be able to find money to pay their taxes. However, the fact that the Government detains someone for about four or five months, and he is actually living at home, working freely, not getting anything for a piece of soap or something like that, I think that is very unsatisfactory. This sort of thing must be corrected by the present Government. I welcome that idea of the Government intention to make the Nairobi/Mombasa road tarmac. However, I would also ask the Government to see to it that in future we do not only go for tarmac roads, not the major roads, because as long as the country is growing agriculturally, we will need some feeder roads. Whether these roads are tarmac or not it does not matter, but we must have communications so as to encourage agricultural development. In many places in Kenya, we find that people are prepared to work, and if I can

[Mr. Bala]

quote an example, in places like Kano—of course it is a place which is normally flooded or very dry—however, then you find that the system of roads is impossible. There is only one main road from Kisumu to Nairobi. These roads are of no benefit to the farmers who are growing things like sugar cane, they need some roads or some bridges which they can use to take their sugar to the factories. However, the Government is only bothered about major roads, and I wish to bring to the attention of the Government that people are interested in having more feeder roads. They do not need to be tarmac, but they will help in assisting the agricultural development so that we will be able to find ways of transporting some of the products which they have.

Mr. Speaker, Sir, I think I should not go on, because my time is up, but I would repeat that the Government of the day—and this particular Government is the one which the African people have been expecting for a long time—I think that in order that the public who are anxious to know what the Government is doing, should have reasonable information, rather than getting information from the Opposition.

With these few words, I beg to support.

The Speaker (Mr. Slade): Perhaps you do not understand the effect of the amber light, which is only a warning to you and means that you have only five minutes left. It is the red light at which you must sit down. Would you like to continue?

Mr. Bala: I would, Mr. Speaker, thank you very much. Mr. Speaker, Sir, I am very sorry that I misunderstood the light. I have one remark to make regarding medical facilities. We people in Nyanza, especially in Central Nyanza, have no district hospitals, in fact we have a hospital which is expected to cater for the whole of Nyanza Province, and even in this hospital we have certain difficulties which I wish to bring to the notice of the Government. In most cases, we do not have an African doctor, and there are certain cases where African doctors are really necessary, especially if he were a doctor who could understand the local language, for that matter a doctor who could understand Luyha and Luo, would, in some cases help, because there are certain patients who cannot speak either Swahili or English, and at times when somebody is very ill, he cannot even think properly, otherwise he would have spoken before. In this case, I think if the Government could take action by sending us at least one or two African doctors to assist in this hospital, it would be a great help.

In other hospitals in Kenya I have seen so many African doctors, and I do not see any reason why at a hospital like Kisumu there could not be an African doctor. In fact we have had some, I think, probably in the previous two or three years. In most cases, we have Asian and Europeans, and I do not know whether we have enough qualified African doctors here. So I would like the Government to take steps and post one or two African doctors to assist the local nurses, because at times when these people are very sick, they do not speak any other language except their own language.

Now, there has been a lot said about neglect and things like that in the hospital, but so far, I would not say that it is so in our hospital, but the thing is that in a big place like Central Nyanza to have no district hospital, and with a place that is susceptible to malaria, I think the Government is being unfair to the individuals who are there, so I wish in our Kanu Government that some steps will be taken so that we have a district hospital as soon as possible, because, as we promised in our manifesto, we cannot have good citizens without proper help, and you can only have proper help when you have proper food, proper medical attention and proper shelter.

With these few words, Mr. Speaker, I wish to support the hon. Minister for Finance.

Mr. Lorema: To begin with I must thank and congratulate the Minister for Finance for a most practicable and agreeable Budget he has presented to us. I pity the Opposition for not being able to follow this Budget. I think, Mr. Speaker, Sir, the Minister for Finance took a lot of time to explain this Budget to us, which, in fact, some of the Members of the Opposition did not touch on, although they were given pamphlets to study. It is not a question of the Minister for Finance making a mistake, it is theirs.

Mr. Speaker, Sir, I wish to inform the Opposition that they have spent a great deal of time enumerating the things that should be done in certain areas. But they should also know that there is very little revenue, and the expenditure should balance with the revenue available.

I think that the Opposition has forgotten a very important thing. When we were last here it was for the speech of His Excellency the Governor. In that speech the Governor said that when the Opposition came in they should offer constructive criticism and not criticism for the sake of opposition. I feel that his speech was quite in order. The Opposition keep reminding the Government that they have not done a lot

[Mr. Lorema] But they must remember that the Government is in the process of cleaning its house, which up to now has been very dirty. It has to be cleaned and the furniture arranged within it.

I must assure the Opposition that this Government is very representative of the people. Hon. Members said something about the Kalenjgin area. But we of these areas fully support the Kanu Government, because it has a fine policy. I do not believe that by segregating ourselves the problems of the people will be solved. We must centralize ourselves, in order to make ourselves strong. We cannot see far if we continue to think only of small groups. We must think with big ideas, and outside ourselves. Soon we will have a Federation of East Africa. But how are we going to achieve the smooth working of that if we only think about our own regions? Let us forget ourselves and help others. When I said that the Government is very representative, I wanted to say also that in all the regions that returned a Member of the Opposition there is also a Member for Kanu. We also have many different kinds of people here. Some of us are teachers, some doctors and some farmers.

I was disappointed at one of the interjections by the Opposition. A Member remarked that we should do something about the beggars, and give them money every now and then. If that is done, the beggar will be earning double. He will have the money he obtains begging, and that which the Government gives him. It is not the duty of the Government to give to the man in the street.

Mr. Speaker, Sir, I wish to say that most of the things that the Opposition say are not their own ideas. They are giving us second-hand ideas. They come from somewhere else—

The Speaker (Mr. Slade): Order! Order! It is now time to interrupt the business. You can carry on for your remaining seven or eight minutes when we sit again, Mr. Lorema.

The House is now adjourned until Tuesday, 25th June, at 2.30 p.m.

ADJOURNMENT

*The House rose at thirty minutes
Past Twelve o'clock.*

Tuesday, 25th June, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair].

PRAYERS

COMMUNICATION FROM THE CHAIR

SENATE AGREEMENT TO BILL

The Speaker (Mr. Slade): I have to inform hon. Members that a message has been brought from the Senate by one of their Clerks as follows:

The Senate has agreed to the Supplementary Appropriation (No. 2) Bill without amendment.

PAPERS LAID

The following Papers were laid on the Table:—

Addenda to the 1963/64 Estimates of Recurrent Expenditure of the Government of Kenya.

Addenda to the Development Estimates for the year 1963/64.

(By the Minister for Finance and Economic Planning (Mr. Gichuru))

The Police (Amendment) Regulation, 1963.

The Police (Amendment) (No. 2) Regulations, 1963.

The Police (Amendment) (No. 3) Regulations, 1963.

The Police (Police Council) Regulations, 1963.

The Police (Amendment) (No. 4) Regulations, 1963.

(By the Minister for Health and Housing (Dr. Mungai) on behalf of the Minister of State, Prime Minister's Office)

The Regulation of Wages (Motor Engineering Trade Wages Council Establishment) (Amendment) Order, 1963.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie) on behalf of the Minister for Labour and Social Services)

The Kenya (Amendment of Laws) (Agriculture) Regulations, 1963.

The Kenya (Statutory Commodity Boards) Regulations, 1963.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

NOTICES OF MOTIONS

UNIVERSITY ENTRANCE AT SCHOOL CERTIFICATE LEVEL

Mr. Ngala: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Kenya Government to negotiate with the East Africa University Authority with a view to obtaining permission for students to join the University Colleges immediately after completing school certificate courses instead of first having to complete higher school certificate classes which are very few among the Kenya secondary schools.

STIMULATION OF INDUSTRY AT HOMA BAY

Mr. Ngala-Aboki: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House calls upon the Government to take urgent steps to stimulate and assist industrial and commercial enterprise at Homa Bay, the only town in the new District of South Nyanza, thereby encouraging employment and the development of a happy and progressive town there.

INCREASE OF WATER SUPPLIES TO MACHAKOS DISTRICT

Mr. Ndlele: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the acute shortage of water in Kikum Kulya Location and in most parts of Machakos District, this House calls upon the Government as a matter of urgency to find a way of getting fresh water from the Athi River to all locations in that District, and also add to the number of boreholes in those areas where water is desperately needed.

RULING OF SUBJECT MATTER OF PRIVATE MEMBERS MOTIONS

The Speaker (Mr. Slade): I would point out that two of the Notices of Motion that have been given are very parochial in their nature. There is nothing wrong in that, they are quite in order and I have in fact approved them, but I must warn hon. Members that motions of that type have very little chance of ever being debated, and the hon. Members concerned will probably get more satisfaction if in the first instance they bring forward their parochial matters by way of direct question. They can always follow them up after by an adjournment debate, if not then satisfied.

MOTION ON THE ADJOURNMENT—NOTICE OF TIME

The Speaker (Mr. Slade): I would remind hon. Members that at the time of interruption of ordinary business today there is to be a debate on the adjournment on a matter to be raised by Mr. Oloidi pip.

MOTIONS

PRECEDENCE OF BUSINESS: BY ORDER OF THE HOUSE

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, on a point of order. Standing Order No. 139 (1) requires that the debate on the Financial Statement should take precedence over all other business, but it is essential that we should deal with the Vote-on Account today. May I have leave to move that the House orders that Orders Nos. 6 and 7 take precedence over the Budget Debate today.

The Speaker (Mr. Slade): Yes.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, then, I beg to move that at this day's sitting the House orders that Orders Nos. 6 and 7 shall take precedence over Order No. 5—Committee of Ways and Means.

The Minister for Commerce and Industry (Dr. Kiano) seconded.

(*Question proposed*)

(*The question was put and carried*)

MOTION

EXEMPTION FROM STANDING ORDERS:

VOTE ON ACCOUNT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move:—

That the proceedings on the Vote on Account be exempted from the provisions of Standing Order 144 (6) which requires that such proceedings be taken on an allotted day.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(*Question proposed*)

(*The question was put and carried*)

COMMITTEE OF SUPPLY

(*Order for Committee read*)

[*The Speaker (Mr. Slade) left the Chair*]

IN THE COMMITTEE

[*The Chairman (Mr. De Souza) took the Chair*]

VOTE ON ACCOUNT.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT, in accordance with section 116 of the Kenya Order in Council 1963, the withdrawal from the Consolidated Fund of the sum of £21,339,315 made up in the manner set out in the Vote on Account laid before the House of Representatives, be authorized for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending on the 30th June, 1964, until such time as the Appropriation Ordinance for that year comes into operation.

Schedule:—

VOTE ON ACCOUNT
FINANCIAL YEAR 1963/64

Vote No.	Service	Total Net Estimate	Voted on Account
1.	The Governor's Office ..	29,900	14,830
2.	Judicial	239,300	119,650
3.	National Assembly ..	302,900	151,430
4.	Enchequer and Audit ..	92,900	46,430
5.	Public Service Commission	41,400	20,700
6.	Prime Minister's Office ..	447,300	223,700
6A.	Ministry of Home Affairs	1,697,200	846,620
6B.	Regional Affairs Office ..	2,639,500	1,319,750
7.	Local Government Contributions	1,169,200	584,000
7A.	Ministry of Local Government	54,600	27,300
8.	Ministry of Justice and Constitutional Affairs ..	507,400	253,700
9.	Ministry of Finance and Economic Planning ..	734,200	367,100
10.	Defence	95,650	47,825
11.	Police	4,229,000	2,114,500
12.	Ministry of Education ..	6,783,500	3,391,750
13.	Ministry of Agriculture and Animal Husbandry ..	2,300,000	1,150,000
14.	Ministry of Lands and Settlement	270,600	135,300
15.	Ministry of Health and Housing	2,064,000	1,032,000
16.	Ministry of Labour and Social Services	435,000	217,500
17.	Ministry of Commerce and Industry	77,000	38,500
17A.	Ministry of Natural Resources	727,100	363,550
18.	Ministry of Works, Communications and Power ..	3,241,000	1,620,500
19.	Ministry of Information, Broadcasting and Tourism ..	337,750	170,875
	Development	28,536,600	14,268,300
		14,142,030	7,071,015
	Total	£42,678,630	£21,339,315

[*Minister for Finance and Economic Planning*]

Hon. Members have received copies of the Vote on Account which was laid on the Table on the 21st June, 1963, it will be seen from the Paper that the House is being asked at this stage to vote half of the total sum required for the services of the Government during the coming year. For the information of hon. Members I may explain that the Vote on Account procedure was introduced in the year 1961/62. The advantage of this procedure is that the Allotted Days for the consideration of the Supply covering Annual Estimates of Expenditure, do not have to be all taken before the 30th June, 1963; and that the Budget debate can, therefore, continue into the next financial year. It will relieve the House of the strain which formerly used to arise in having to take every Supply Day before the end of the financial year. The House will of course have the opportunity of debating the Votes and discussing them when we go into the Committee of Supply. The details of the various Votes are published in the 1963/64 printed Estimates and the Addenda to these Estimates which have already been laid before the House. As the Annual Appropriation Bill will not be passed until after the commencement of the 1963/64 financial year, in the interim it is necessary to have the authority for Government services. I beg to move.

(*Question proposed*)

Mr. Alexander: The Minister is absolutely correct when he reminds us that the procedure was introduced to facilitate the spending of money by the Government in anticipation of the approval of the specific Votes. He also did remind us of the time when this was introduced.

Mr. Chairman, that was in normal times when the Government Budget followed a fairly well-known routine, but we are now living in most unusual times, Mr. Chairman, and I think that it is in the Government's own interest that we should not vote the whole of six months, that is half of the whole year's Budget, on account. There are, I believe, three good reasons for this, Mr. Chairman.

Firstly, this Budget, as has been openly acknowledged on both sides, is not a true and complete reflection of this Government's policies; it cannot be expected to be, because the Government that our Government will wish to introduce at some time in the reasonably near future a supplementary Budget, in order more accurately to reflect its policies. That, I suggest, is one good reason, and linked with that is this very vital

and very far-reaching subject on which we are all agreed, and that is the hasty and quick establishment of an East African Federation. If that should be well advanced within the next few months, then quite obviously, Mr. Chairman, it is going to make a very substantial re-casting of this Budget.

The second good reason why I consider that the whole six months should not be voted now is that this Budget does contain items of new policy, completely new types of expenditure, and on this particular point I do draw advice from Erskine and May at the Sixteenth Edition, page 713. If I may just quote a short extract, with your permission, Mr. Chairman: "According to established usage, demands for grants on account are restricted to such services as have received the sanction of Parliament." That tells us quite clearly that in normal Parliamentary procedure votes on account are intended for those types of services which have already become well established in the Government machine. But when we look at our Budget, Mr. Chairman, we find some very new items, some new items which, in fact, be denied the opportunity to debate in detail, because the money may well have been spent out of this vote of account before we ever get to the possibility of that heading.

I quote one or two examples: for instance, the independence celebrations at page 12 of the expenditure estimates, at £400,000. In fact, Mr. Chairman, we want to take part in the consideration of this item. I imagine that our Government would not be so unwise as to believe that it has all the suggestions and only it has suggestions for the spending of this money. We would like to believe that we have an important part to play in the spending of this money and I would suggest, Mr. Chairman, under this particular heading that it would have been helpful for some Members from this side of the House to be in on the consideration of this. However, the point I wish to make is that this is, in the words of Erskine and May, "a completely new feature of expenditure".

Another feature that would come under this category is what the Minister referred to in his Budget speech, the possibility of the establishment of the Central Bank. Now, here again we find that this is a completely new item in our financial considerations. The Minister did tell us that it would cost several thousands of pounds to establish this. What we do find from our Estimates is that possibly the whole of the revenue—the income—that we derive from the East African Currency Board will be apportioned to this particular activity before we, on this side, have had the

[Mr. Alexander]

opportunity to consider it. There is also, of course, the whole feature of this Development Estimate which, in part, naturally includes new features.

The third good reason, Mr. Chairman, why the whole of this amount should not be voted today, is that when we look at the Schedule accompanying the resolution we find that in fact most of the substantial items—that is education, police and health—are features that will be taken over by the regional governments.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): When?

Mr. Alexander: Our Government has already established a record for moving at great speed and I am surprised at the Minister for Agriculture for having to ask me "When?" I mean this Government is moving and it is moving fast. I imagine that it will apply the same dynamic mood to this very feature that I am now mentioning. When we look at, for instance, education, out of nearly £7 million some 72 per cent of that is to be handed over and spent by the regional governments.

I am asked, Mr. Chairman, in particular the authority for this. Well, I can do no better than to point to page 86 of the Estimates where it shows the total as £6½ million, of which the Central Government will spend about £2 million. I would have thought that as a Minister himself brought that before the House I can think of no better authority.

Looking at Police we find that some 70 per cent of £4½ million is to be assumed by the regional governments, then the Health and Housing, some 70 per cent. Now, these items of expenditure will from now on, as the administrative convenience and dynamic speed of our Government demands it, be handed over to the regional governments, and then, of course, this expenditure will not be needed by the Central Government.

Therefore, Mr. Chairman, I wish to move an amendment to the Motion:—

By deleting on the fourth line the sum of £21,339,350 and substituting therefor the sum of £10,669,657.

This will provide expenditure up to the end of September, this is exactly half the amount that is in the resolution, which, in its turn was exactly half the amount for the whole of twelve months. This, I believe, would give the Government ample opportunity, as I say, to recast its thinking on its own policies and reflect them in financial provisions. What I am saying, Mr. Chairman, is that I believe that this Budget is not a reflection of the policy of this Government in its main subjects.

Therefore it would be appropriate for this Government to come back to us at the shortest possible interval with its own ideas. This £10 million does provide the money up to the end of September, which I believe will give the Government adequate opportunity to look at this question again to consider which of this expenditure will have already been taken over by then by the regional governments and to give us a reassessment of the financial position as it is then. Accordingly, Mr. Speaker, I beg to move the amendment.

(Question of the first part of the amendment that the words proposed to be left out, be left out, proposed)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I am standing up to oppose the amendment. I would like to say that there is no question at all of having to recast the Budget as it now stands. The whole Budget is based exactly on the recommendations of the Fiscal Commission Report, which was accepted by the Coalition Government and many prominent Members of that Government are sitting on the opposite side and I take it that even the Mover of this Amendment was acquainted with the Report, and therefore I see no reason at all for anybody to hope that there is any possibility of a recast of the Budget.

It is true that we are moving fast, and it is necessary that we should move fast, and in moving faster we are not going to blindly follow certain individuals who may have been correct and right in the good old days in Britain but who have nothing whatsoever to do with us. We shall not, therefore, be at all influenced by the quotations that have been quoted to us this afternoon.

There is no question of any hasty establishment of the Federation.

Mr. Alexander: Mr. Chairman, on a point of order, could I ask if we are now to presume that we are no longer to be guided by Erskine and May in this Parliament?

The Minister for Finance and Economic Planning (Mr. Gichuru): I feel that this procedure which was adopted in the years 1961/62, the year in which the Opposition were in Parliament, was then proved necessary, I do not see why we should not have it now. If it was necessary then, it is as much necessary now.

Hon. Opposition Members: Answer the question.

The Minister for Finance and Economic Planning (Mr. Gichuru): I am not answering any question.

I am greatly interested in this question regarding the celebrations for independence. There is a definite attempt to delay our independence, and the fact that these figures should be questions is proof enough that the Opposition is not in a hurry to get into independence. As a matter of fact, I am interested to see that the hon. Mover of the amendment mentioned this figure, because the rest of the Opposition were completely ignorant of the fact that there was provision for these celebrations. As to whether it would be necessary to bring the Opposition into the picture as far as independence preparations are concerned, that is a matter for the Prime Minister.

Now, the question of the Central Bank does not arise. It is premature, at this stage, to try to discuss the question of the Central Bank as the negotiations are still going on, and we have not finalised them.

I therefore, Mr. Chairman, oppose the amendment.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, to touch on three points, and to oppose the amendment, it is all very well quoting in this House Erskine and May, and saying that there are new aspects in the Budget. Erskine and May have never had to contend with a change of Constitution in Great Britain. We here have a change of Constitution. This is the new aspect; it is only because it is a change of Constitution, and I am sure had they had a change of Constitution in Great Britain, Erskine and May would have quoted to us, something about the change of Constitution apropos the budget. Therefore, we cannot be lead by Erskine and May, and therefore we have to lead ourselves. I would like to tell the hon. Mover of the amendment, that it is our intention to take the fifteen Supply days, and the three Budget days that are left, and the reply by the Minister, and the three days of Ways and Means in July, even if it means us sitting double time and sitting at nights to get it finished. We, as a Government, intend finishing all the Heads and Votes during July. As you well know in August C.L.A. is meeting, and over and above that, Mr. Chairman, we know full well that some time in the near future we are going to have a Constitution Conference, we know well enough that discussions are going on between the Kenya Government and the other governments on federation. So everybody is going to be busy in the months of September, October and November.

Therefore, we do not want to have to come back in September, as per normal, to sit in this House to debate the remaining days on the supply. That is why I am now letting the Opposition know that we intend finishing the lot in July, even if it means sitting double every night for us to do so, and the people in the Opposition will just have to get used to staying up late.

Now, Mr. Chairman, the last point is that I think it is right for the hon. Mover of this amendment to raise this matter, but I think that he must bear in mind that the Minister for Finance is still the same Minister for Finance who was in the Coalition Government. He must also bear in mind that those of us who are now in Government and who were in the Coalition, for the last three months of the Coalition Government, knew that we were going to be the Government and were working on the Budget, knowing that it was going to be our Budget. Perhaps that is why the Members of the Opposition do not like the idea of this Budget, being our Budget. Also, during this debate, Mr. Chairman, no points of any material matter have been raised by any people on the other side as yet on the Budget. None, none.

Now, Mr. Chairman, this point of £400,000 expenditure on independence, not a single Member of the Opposition has mentioned it, and most of them have spoken in this debate. Therefore we take it in Government that the hon. Members of the Opposition could not have worried about the independence celebrations, otherwise they would have mentioned it.

Mr. Ngala: Mr. Chairman, Sir, I stand to support the amendment. Mr. Chairman, Sir, this Government does not seem to know what it is doing, and particularly the Ministers on the Front Bench. We were told the other day, Sir, by the Minister for Finance and he acknowledged the fact that the Budget was prepared by the Coalition Government, and the Opposition, as well as the Government, had a responsibility in the Government. Today we get another Minister, who is completely ignorant of what his fellow Minister said, telling us something quite different.

Mr. Chairman, Sir, I would like to remind the hon. Minister who has just sat down that the British Government has no written Constitution, and they have not had the chance of facing changes in a Constitution as we have had. However, Sir, the provision on a Vote on Account was considered in 1961, because we felt that on items of usual routine the Government should have a chance to spend its money without the consent of the Parliament.

[Mr. Ngala]

Now this was agreed upon regarding matters of usual routine. The Mover of the amendment, Sir, made it quite clear that there are about four matters, not all usual routine, which should be considered, and the Government should know that expenditure of moneys in the country should have the consent of the Parliament.

Now the Government is in a hurry to spend the taxpayers' money without the consent of the Parliament. It is completely contrary to the procedure of democratic parliaments, Sir, I would like to protest very strongly against the Minister for Finance who is in a hurry to spend the money almost illegally.

The Minister for Finance and Economic Planning (Mr. Gikibu): On a point of order, I would like to have a ruling from you, Sir, regarding that allegation that I am trying to spend the money illegally.

The Chairman (Mr. De Souza): That allegation is out of order, Mr. Ngala, that the Minister for Finance is trying to spend the money illegally, I do not know whether you meant that he was doing an illegal act, or whether you meant that he was really doing something that was not usually done. If you said that he is trying to spend the money illegally, then I ask you to withdraw that.

Mr. Ngala: I was not saying that the Minister was trying to spend the money illegally, I was saying that he was almost spending the money illegally by not following parliamentary routine.

Mr. Chairman, Sir, I think the regional features are new, and this has been made very clear by the hon. Member who has moved the amendment. If the regional features are not new, I want the Minister or the Government side to say whether these are not new.

An hon. Member: Autonomy!

Mr. Ngala: Autonomy would be even newer.

Mr. Chairman, Sir, the Mover has made it quite clear that expenditure of money must have the sanction of the Parliament, particularly regarding new items. The sanction of the Parliament must be obtained. He made it quite clear, in his submission, that up to September the Government will have had time to consider what changes they want, and whatever expenditure they want. I think it is particularly important, Sir, where the hon. Member who has just sat down said that they intend to finalize everything in July, and we have given them a chance until September. If they intend to finalize everything by July, why

cannot they wait until September? They say they have not got the time to make mistakes—

Mr. Shikuku: On a point of information. One of the hon. Members from the Government side, should not, referring to the hon. Mr. Ngala, that—

The Chairman (Mr. De Souza): I thought it was a point of order.

Mr. Towett: On a point of order, Sir, yes Sir.

The Chairman (Mr. De Souza): I do not want any more fraudulent points of order.

Mr. Ngala: Mr. Chairman, Sir, they are very childish remarks from the other side. I hope the Members on the other side will show that they are mature.

Mr. Chairman, Sir, I think sufficient submission has been made by the Mover for the purpose of giving the Government half of what they are proposing now up to September, and since there is sufficient time in which they will finalize the whole debate on finance by the end of July, I think it is only reasonable that the parliamentary routine, whereby money is spent, is given the sanction of the Parliament, and it should be observed in this case.

I very much support the arguments by the Minister for Finance that provision was produced in 1961 as a way of giving a chance to the Government to spend money before they receive the sanction of the Parliament. However, this being a very exceptional year, Sir, I think the Government will be reasonable enough to accept the change from six to three months, and with this I would like to support the amendment, and I hope the Government will be reasonable enough to support the Opposition in this.

The Chairman (Mr. De Souza): Mr. Alexander, were you seriously raising Erskine and May as a point of order to the effect that this debate here and this Vote on Account is out of order, or were you merely using Erskine and May as a persuasive authority on your behalf in supporting your argument?

Mr. Alexander: Mr. Chairman, to follow the exact context when the point was raised. It was when the Minister for Finance was speaking and telling us by implication that we should not be bound by the rulings of Erskine and May I got up on the point of order simply because we have been told repeatedly in this House, by various Speakers, how when we have not got anything specific in our own Standing Orders we do follow Erskine and May, and I was rather appalled with

[Mr. Alexander]

he thought that we are now no longer going to do that. I therefore got up on a point of order to ask you whether in fact this is to be the new system.

The Chairman (Mr. De Souza): Well, there is a ruling on that. Rule 1 of our Standing Orders says quite clearly that on all matters not expressly provided for in our Standing Orders, the rules, forms and usages of the House of Commons of Parliament of Great Britain and Northern Ireland in force for the time being, so far as the same can be applied to the proceedings of this House shall be the rules. So, you can take it that Erskine and May is the authority in this House when our present Standing Orders do not apply.

Mr. Alexander: Do I take it then, Mr. Chairman, that my point of order was valid and was in order?

The Chairman (Mr. De Souza): Well, yes, it was valid in so far as you were seeking a ruling on the weight to be attached to the views expressed in Erskine and May.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Another point of order: Does not this rule say that we shall follow the Standing Orders in the House of Commons; it does not say that we shall necessarily follow the commentaries in Erskine and May.

The Chairman (Mr. De Souza): It says, "rules, forms and usages of Parliament". Erskine and May says what the usage is, but this is only a persuasive authority. It does not say that what we say is wrong. This is what, if I read it again, it says: "According to established usage, the demands for grants of account are restricted to such services as receive the sanctions of Parliament, though an exception is occasionally made to this rule in favour of trifling and non-contentious new services." Obviously this is a different situation, a situation in which certain votes of account are definitely legitimate and in order, and I rule, of course, that this particular Vote of Account is perfectly in order. It can be used as persuasive authority and in fact Mr. Alexander himself, by the mere fact that he only wants the Vote on Account to be for three months instead of six months, does support the view that it is in principle in order.

Mr. Alexander: Mr. Chairman, who has questioned that this Vote on Account was out of order? Where does this question come from?

The Chairman (Mr. De Souza): Well, any other questions?

Mr. Alexander: Mr. Chairman, I think having got our minds clear on that point I would like to remove one point of misunderstanding which has arisen in this debate, and I think it would help to get our minds clear. What I cited from Erskine and May has got no connexion whatsoever with the fact that we at this moment are going through a process of constitutional changes. In fact, it refers specifically to any time in the life of a Parliament that new matter might be introduced through a Vote on Account. Of course, Erskine and May is many, many years old, 200, and I am sure that it has gone through upheavals even worse than constitution-making and I do not think, Mr. Chairman, we ought to confuse the issue, because I never introduced it as part of the problems of constitution-making; I was merely trying to say that there are new matters in these Estimates that are now being cleared by way of a Vote on Account that we should have an opportunity to discuss and therefore a vote for three months would be appropriate.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, under Standing Order No. 73 (2) I would like to move that the question be now put.

The Chairman (Mr. De Souza): We will have one more speaker. Mr. Towett.

Mr. Towett: Mr. Chairman, there is one point I want to put to this House and that is directed mainly to the Minister for Finance. When we come here and ask for time to discuss matters of interest, especially financial matters, affecting the pockets of the people of this country, we should not be told that this is another effort for Finance did say that this is another attempt to try and delay independence. We do not intend to try and delay independence. We are willing to cooperate, but we must spend the money of the public rightly. We have to explain to our people how they are taxed, how their money is spent, and we do not want to come here and be told that this is another attempt to try and delay independence. Let independence be delayed for another hundred year, but it will come. Let independence be delayed a million years, but it will come. There is no hurry unless we are afraid of old age and wish to hurry up things, then we say we must have it today. Independence can come at any time. Mr. Chairman, when the hon. Members have learned to be more honourable and to

[Mr. Towett] The Minister has asked for an expenditure of £20,000,000 and we feel that the Minister is taking advantage of the majority of the Government to move a Motion which requires the expenditure of so much public money and I feel that this is a matter which requires the sanction of Parliament: the Parliament because the Opposition is fewer in number and cannot stop the Government from carrying out this expenditure. But, Sir, I would like to place on record that the whole Budget has reflected some expenditures which are in question, and these expenditures which are in question—some of them—are covered in this period in which the Minister would like to spend this money. Since it is against parliamentary procedure for such expenditure that are in question to be put on a Vote of Account I would like to protest very strongly on behalf of the Opposition that the Minister has gone outside the intention under which we made the Vote on Account in 1961, and for this I want to make it quite clear that the Government is in a hurry to spend public money in a way which is not right.

Mr. Ngala: On a point of order. Is the Minister for Finance in order in suggesting that the Opposition will not give him any help in matters of finance and financial expenditure of public money?

The Chairman (Mr. De Souza): Mr. Ngala, as you know, that is a matter of personal opinion and it is perfectly in order for a Minister to express his views on it. Mr. McKenzie would you propose the question again?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, under Standing Order 77 (2) I beg to move that the question be now put.

The Chairman (Mr. De Souza): I am of the opinion that this is not an abuse of the proceedings of the House or an infringement of the right of Members as there has been sufficient debate, and I will put the question that the question be now put.

(The question that the question be now put was put and carried)

(The question that the figures proposed to be left out was left out was put and negatived)

(Debate of the original Motion resumed)

Mr. Ngala: Mr. Chairman, Sir, I do not know whether I will be in order. I would like to talk on a matter of principle on the Motion that has been moved by the Minister.

The Chairman (Mr. De Souza): Yes, you are in order.

Mr. Ngala: Thank you, Sir. We, as the Opposition, realize that we have lost the amendment, but, Sir, I would like to make a very serious protest to the Minister, and the Government side as a whole, for the way in which they have handled

the amendment. Now, in the original Motion the Minister has asked for an expenditure of £20,000,000 and we feel that the Minister is taking advantage of the majority of the Government to move a Motion which requires the expenditure of so much public money and I feel that this is a matter which requires the sanction of Parliament: the Parliament because the Opposition is fewer in number and cannot stop the Government from carrying out this expenditure. But, Sir, I would like to place on record that the whole Budget has reflected some expenditures which are in question, and these expenditures which are in question—some of them—are covered in this period in which the Minister would like to spend this money. Since it is against parliamentary procedure for such expenditure that are in question to be put on a Vote of Account I would like to protest very strongly on behalf of the Opposition that the Minister has gone outside the intention under which we made the Vote on Account in 1961, and for this I want to make it quite clear that the Government is in a hurry to spend public money in a way which is not right.

Mr. Kiprotich: Mr. Chairman, if the hon. Member will give way—

The Chairman (Mr. De Souza): Is it a point of order?

Mr. Kiprotich: Regarding public money, to what is the Leader of the Opposition referring, the money for the Coast or for Kenya?

The Chairman (Mr. De Souza): That is not a point of order.

Mr. Ngala: Mr. Chairman, Sir, I am glad you ruled that that is not a point of order.

Now, I would like to have this opportunity to tell the Minister for Finance that we are completely dissatisfied with the way in which he has handled this matter of the Vote on Account. Sir, on the matters of development, for example, we have felt for a long time that he has included items which need a lot of discussion. The settlement schemes for example, I have made it quite clear that the settlement schemes have items, and a policy, which, in fact, ought to be changed. Here he is asking for expenditure for six months in which time the moneys allocated for certain schemes will be spent on certain areas where the Opposition would like a change, and I feel, Sir, that it is not right at all for the Government to behave in this way on matters which are new and matters whose policy is not yet finalized. This is one example of the things against which I protest very strongly.

[Mr. Ngala]

The other point is the Ministry of Home Affairs, and the expenditure for this Ministry. We have very strongly protested against the creation of this fictitious Ministry, and the money which is going to be spent in the six months that the Minister is suggesting. I feel that the Opposition should have been given a chance to discuss this, instead of the Government just grabbing six months expenditure without the consent of Parliament. They are not seeking our consent at all.

There is also the question of the Ministry for Regional Affairs. I had very much hoped that the Opposition would have a chance to discuss its expenditure. Half the expenditure of this Ministry is being voted on Account now, in a hurry by a Government which is afraid—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Chairman, is it correct for the hon. Leader of the Opposition to raise all these matters under this Motion? He is repeating the exact items that he raised in the Budget Debate. Over and above that he seems to forget that he is the man who has the power to say the first head of Vote that we will debate is Home Affairs. He can debate this for fifteen days. It is his prerogative to do that. We in the Government cannot do anything about it. Therefore, is he correct in raising all this at this stage?

The Chairman (Mr. De Souza): This is a general debate on the Motion as such. I think he can raise quite a bit on this debate. But, I would ask Mr. Ngala not to repeat what he has already said on the Budget Debate, and confine himself to the particular Motion that we are discussing.

Mr. Ngala: Mr. Chairman, I am glad that you have ruled the Minister out of order. The Minister seems to be completely ignorant of the Standing Orders. A Vote on Account affects only matters of usual routine.

Mr. Gachago: On a point of order. Does that imply that it is in order to continue speaking on a lost Motion or Amendment?

The Chairman (Mr. De Souza): This is not speaking on a lost Motion. It is speaking on the Motion as such. The main Motion. There is bound to be a certain amount of repetition.

Mr. Ngala: Another ignorant Member has shown himself from the other side—Mr. Chairman, Sir, I would just like to say to the hon. Minister who has just sat down, and who reminded me of my duty to discuss and choose the Votes which should be discussed first, that my point was not the discussion but the actual ex-

penditure. It is no use talking about them if the expenditure has already been granted. I would like very much to protest against this.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order. The hon. Leader of the Opposition does not seem to understand what the Government have said to him. I have told him that it is the Government's intention to attempt to get all this out of the way by the end of July, therefore even if we agreed to your Motion, we still would have completed everything by the end of July. Therefore your amendment is not valid. I have given the reasons why Government want to finish the fifteen Supply Days by the end of July: Central Legislative Assembly are sitting in August; it is well known to everybody that we are going to be involved in getting ready for a conference sometime in September, October or November or whenever it is; we are also having discussions with the other East African Governments and this is going to take up the time of the Opposition as well as the Government. I presume they have got views on what we are doing. If we are going to get a move on with all this, we must do everything possible in July, even if it means that we have to sit late at night. The amendment you asked for is for this to go through until September but it is not valid. We as a Government intend to finish it by the end of July. If we could finish it by the end of June we would do, if you are prepared to demand it we do not mind sitting here on an, on, forty-eight hours a day. But finish it we are determined to do by the end of July.

Mr. Kibwage: Mr. Chairman, Sir, I do not want to prolong this debate unnecessarily, but I thought that in view of the pleas expressed by the Leader of the Opposition, we should make it quite clear from this side, that we are not doing anything unconstitutional and we are not depriving the House of its time by debating these different matters. What is more important, it was the hon. Leader of the Opposition himself who stood here during the Budget Debate and said that the regions were being starved of funds. What the Vote on Account is going to do is to send the money to the regions. The fact is that this is exactly what the Leader of the Opposition wants and yet he comes here and expresses his opinion that he is being denied the time to debate, because plenty of the things that he wants to get going over the *Majimbo* business would never get started. The Vote on Account is ending this month, and therefore far from depriving hon. Members of their time, we are in fact helping them—although we are not helping them as far as *Majimbo* goes.

Mr. Alexander: Mr. Chairman, Sir, I did raise the question of new policy matters reflected in the Budget, and gave one or two examples. In fact, I think I gave three examples of the type of items that came under that heading. I did make the plea that the Vote on Account should not be proceeded with for six months, so that we would have an opportunity of going through these few items. I appreciate that the Minister for Agriculture has told us that it is His Government's intention to press on with the Votes of Expenditure, so that we dispose of them with the greatest possible speed. In fact, as I understand it, the fifteen Allotted Days that we have for Votes which we normally reckon to complete by the end of the year will now be done virtually before or within the three weeks of July, because we intend to finish by about the 19th of July. So, it does look as if the whole of the business of this House of Representatives, until we adjourn, will be taken up with the fifteen days of Supply and that there will be no other business. I am grateful for the Minister having told us this because we did not know that this was the plan. I think that he has quite obviously helped us, certainly helped me to come to the conclusion that we have got to do all we can with the Motion before us to make sure that we debate as much as possible, so that we do not find that we have time against us in the very short period that is to be allowed for the debate on the Votes. In this context and in no other, I would like to go through the expenditure summary and deal with some of the new features. First of all, Mr. Chairman, I come to the National Assembly. This is Vote No. 3. Here of course there is a very new and important feature introduced into our political life and I refer to the Senate. I want to raise here, Mr. Chairman, a very far-reaching and fundamental matter.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Chairman, I would like your ruling on whether the hon. Member is correct now in taking the Estimates Vote by Vote. He has started on the Senate. Surely, if the Opposition wish to do this they have fifteen days in which we can debate the different heads at their request. It is their request on which Vote we debate. Therefore I think he is completely out of order raising the matter now.

The Chairman (Mr. De Souza): This particular debate, Mr. Alexander, is a debate on the Vote on Account; it is questions of principle that you can debate, you cannot go into the Estimates Vote by Vote, because that will be done on the days

of Supply. All you can do is generally give the question of new policy matters reflected in the Budget, and give one or two examples. In fact, I think I gave three examples of the type of items that came under that heading. I did make the plea that the Vote on Account should not be proceeded with for six months, so that we would have an opportunity of going through these few items. I appreciate that the Minister for Agriculture has told us that it is His Government's intention to press on with the Votes of Expenditure, so that we dispose of them with the greatest possible speed. In fact, as I understand it, the fifteen Allotted Days that we have for Votes which we normally reckon to complete by the end of the year will now be done virtually before or within the three weeks of July, because we intend to finish by about the 19th of July. So, it does look as if the whole of the business of this House of Representatives, until we adjourn, will be taken up with the fifteen days of Supply and that there will be no other business. I am grateful for the Minister having told us this because we did not know that this was the plan. I think that he has quite obviously helped us, certainly helped me to come to the conclusion that we have got to do all we can with the Motion before us to make sure that we debate as much as possible, so that we do not find that we have time against us in the very short period that is to be allowed for the debate on the Votes. In this context and in no other, I would like to go through the expenditure summary and deal with some of the new features. First of all, Mr. Chairman, I come to the National Assembly. This is Vote No. 3. Here of course there is a very new and important feature introduced into our political life and I refer to the Senate. I want to raise here, Mr. Chairman, a very far-reaching and fundamental matter.

Mr. Alexander: Mr. Chairman, when I introduced this particular point, I thought that I had made it abundantly clear that what I was concerned with was the new features of policy introduced into these Estimates. I fully realize that matters that have been orthodox Government routine should not be a part of this particular debate.

The Chairman (Mr. De Souza): Mr. Alexander, I think that you should not go into these details, going from Vote to Vote that can be done later. That can be done when we go into the Committee of Supply. The principle of the Motion for the House is the £21 million etc., be voted today.

Mr. Alexander: Mr. Chairman, we are voting £21 million some millions of which cover new items. This is our opportunity to draw attention to this. I wish to look firstly to this question of the Senate. Now, I do this, and I think it is wise to take the very earliest opportunity to raise this matter, because of a serious, I put it now higher, a serious misunderstanding that I believe occurred last week.

The Chairman (Mr. De Souza): Mr. Alexander, I do not want to hinder your debate, but I have already ruled that you cannot go into the details of the Estimates as such. That will be done in Committee of Supply. All that you can do is to speak on the principles involved and that is all.

Mr. Alexander: Mr. Chairman, I am speaking of the principle of the Senate.

The Chairman (Mr. De Souza): You are going into the details of the Estimate.

Mr. Alexander: What else can I do?

The Chairman (Mr. De Souza): You will have enough time to come to the debate on the particular question of the National Assembly or the Senate when we discuss that particular Vote. The Opposition then have a chance of choosing which Vote they want to discuss.

Mr. Alexander: We do not know yet what Votes we are going to debate and it may well be that this particular one is not one which comes up.

The Chairman (Mr. De Souza): It will be for the Opposition to decide which Votes they want debated and I do not think this is a time in which one can go into detail.

The Minister for Commerce and Industry (Dr. Kiako): On a point of order, may I move that the Mover be now called to reply?

COMMITTEE OF WAYS AND MEANS

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
(Resumption of debate interrupted on 21st June, 1963)

BUDGET DEBATE

The Speaker (Mr. Slade): Mr. Lorema has speaking. I think.

Mr. Lorema: Thank you very much, Mr. Speaker, Sir, and all hon. Members.

I rise to continue with my speech. I remember that my last point was about second-hand ideas that the Opposition were putting to us. I wish to elaborate that point more vividly. I wish to make the point very clearly that the Opposition were at that moment using a plan which was not actually made to help the Africans outside or in the constituencies they come from. There is much evidence which shows that, because there has come a time when the hon. Members on the Opposition have always advocated on (inaudible) Kenya and that is just in order to interest the foreigners and not the Africans. Also, it has been proved that during the last campaign the Opposition used the money of the Europeans and the Indians.

Mr. Ngala: Mr. Speaker, Sir, on a point of order, is the hon. Member in order in imputing these motives to Members?

The Speaker (Mr. Slade): I am not quite clear what moves the hon. Member was imputing, but I must remind him that he is certainly out of order to impute any improper motives to hon. Members.

Mr. Towett: On a point of order, Mr. Speaker, the hon. Member did say we were being helped by the foreigners financially. What type of foreigners has he in mind?

The Speaker (Mr. Slade): I do not think that helping foreigners in itself an improper motive. I think that the hon. Member will have to say a little further than that before we can say that he is imputing improper motives.

Mr. Lorema: Mr. Speaker, Sir, the word "foreigner" should be understood by every Member here. By that I mean people who are not indigenous in this country. They gave them a hand, of course, during their campaign. Of course, Mr. Speaker, Sir, I am very glad the Opposition

The Chairman (Mr. De Souza): Yes, I think that it is not an infringement of the rights of this House or the rights of Members. I think we have had enough of debate.

Mr. Ngala: On a point of order, Mr. Chairman, is it in order for a Member to move that the question is now put in the middle of the debate?

The Chairman (Mr. De Souza): Yes, it is. You will remember, Mr. Ngala, that that has been done many times.

(The question that the question be now put was put and carried)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I beg to move that the Committee doth now report to the House its consideration of the Vote on Account resolution and its approval thereof without amendment.

(Question proposed)

Mr. Towett: Mr. Chairman, I wanted to seek some information on this. You did mention that we have had enough people speaking on this but I am not sure whether—

The Chairman (Mr. De Souza): I am afraid we passed that stage a long time ago.

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT

VOTE ON ACCOUNT

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of Supply to inform you that they have considered the Resolution before the House and have passed the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

(The question was put and carried)

[Mr. Lorema] side at this time made use of the pamphlets I sold them about last time, and that is why they have now brought a lot of questions about them; they want to quote detail after detail on this Budget. You remember, Mr. Speaker, Sir, the other time they did not use them, and some of them have said it themselves, and that is why there is a lot of repetition here in the House.

The Speaker (Mr. Slade): Mr. Lorema, I do not think this is contributing very much to the debate. Most things are relevant, but not criticism of the Opposition for the sake of criticism. Continue your speech, but try to make points relevant to the Financial Statement.

Mr. Lorema: Thank you, Mr. Speaker, Sir. Facts always hurt.

While believing in being constructive or helping the Government rather than destroying, there are just three points which I wish to bring to the notice of Government, but because the Opposition always neglect to bring these suggestions out, and as such, they just oppose anything which comes out.

An Hon. Member: On a point of order, is it correct for the hon. Member speaking now to read his speech while speaking to the House?

The Speaker (Mr. Slade): I see that Mr. Lorema has very full notes, but I think he is trying to do without reading every word. You must remember, Mr. Lorema, that it is not in order to read the whole of your speech.

Mr. Lorema: Thank you very much, Mr. Speaker, Sir. I wish to bring to the notice of Government the fact that in our constituencies there are very many difficult jobs which have to be carried out there. For example, the place that I come from, communications, education and agriculture is still incomplete. I hope this present Government will try and do something about this, so as to enable me to help some of the pupils with their education.

Another point, Sir, which I wanted to put before the Government is that there are some junior officers who do not yet understand, even now, that it is a Kanu Government which is in power. They still think that it is Kadu, because when members of Kanu go there they tend to dislocate their ideas, they do not want to help the Government. You will remember, Mr. Speaker, Sir, in previous years, civil servants were not allowed to participate in politics. However, I am now surprised to see that such civil servants are now doing it, and that they do not know which Government is in power.

Mr. Towett: On a point of order, the hon. Member has made a very serious allegation. He said that Government civil servants are participating in politics, would he substantiate this?

The Speaker (Mr. Slade): You may be required to substantiate statements that you make, but can you give any evidence of what you say about civil servants?

Mr. Lorema: It is a universal allegation, general—

The Speaker (Mr. Slade): I am afraid that will not do.

Mr. Lorema: Thank you, Sir, I withdraw that statement.

Mr. Speaker, Sir, there is another point which I wish to bring to the Government, so that before they continue they are aware of these things. This is on the question of the police. The police have been doing an excellent duty at times, and I do not criticize them too hard, but in some places and on some occasions, when somebody has been caught and handcuffed, they beat them. I would therefore ask the Government to make slight changes on this—

Mr. Towett: On a point of order, Mr. Speaker, does the hon. Member imply in all honesty that the police have been beating people and they are continuing to do it?

Mr. Lorema: I said in some places, I did not say—

The Speaker (Mr. Slade): Your time has run out, Mr. Lorema, so you had better sit down.

The Minister for Commerce and Industry (Dr. Kiako): Mr. Speaker, Sir, I want to thank you very much for allowing me the opportunity to express my feelings and observations regarding the Budget presented to this House by my colleague, the Minister for Finance. I will not go into detail because this will be coming when we debate the Estimates in this House, but I would like to say that since the end of the elections there has been so much return of confidence in this country among the prospective investors, both local and foreign, that our Ministry and the Ministers who have been working with us on economic matters have had one visit after another from people who say, "Now we see Kenya has started on the right and stable road and we want to help in the expansion of the economy, and particularly in the private sector of that economy." If the rate of investment which is now being indicated by these prospective investors is carried out, I am happy to say that the rate of economic

The Minister for Commerce and Industry] growth may even go beyond what was forecast by the Minister for Finance when he forecast about 5 per cent of economic growth in the next financial year.

The situation may have been better than that. I therefore think, Mr. Speaker, that when people are making comments regarding the Budget they may be making them for political reasons, but the fact is that this is a very important Budget that has done a lot of good to the economy of the country and it is helping to accelerate the growth.

Mr. Speaker, Sir, I am not talking only in terms of expansion of new investments, I am also talking in terms of expansions of already existing local industries. It is by that expansion, as well as investments for new industries, that we shall tackle the problem of unemployment. So many people have referred to this problem and they think that nothing is being done about it. It is by actually creating situations whereby people can find work that you fight against unemployment. We are not thinking in terms of just spending money, that is irrelevant to what our economic plans are, in order to tell the world that we have unemployment relief. We want to have unemployment relief in terms of the overall economic programme of the country. In this respect, Mr. Speaker, I should say that there has been a lot of cooperation between my Ministry and the Ministry of Agriculture, because we realize that there must be close collaboration between increased production and increased marketing opportunities and facilities. The two must go together. If we talk of increased production we must talk in terms of where we are going to sell the products.

These things are already taking place now and I mention them to indicate that it does not make any sense at all to simply play to the gallery and say that this Government is not doing anything and so on, simply for the sake of being able to go home to one's people to say that one has done a lot to the Kenya Government by being rude to it. We are not sent to this House, Mr. Speaker, to practice the arts of rudeness and the arts of irresponsibility. We were sent to this House to serve in the most important legislative body in this country; we were sent here to be the founding fathers of a new nation. I do hope that Mr. Speaker, in future in this House we shall keep that constantly in mind. If we lose that, Mr. Speaker, for the sake of cheap qualities, we shall not qualify for that title we are known by, and that is *mukeshimwa*. If we believe in being *mukeshimwa*, we must show it among ourselves in this House.

Going back to the Budget, Mr. Speaker, I want to say this. When we discuss this Budget we must remember a number of fundamental points. One of which is this: people must realize that they cannot put the clock back whether they want to or not. When we say in the debate that we want money, for example, but on the other hand we read in the Press that some people are thinking of diminishing Central Government authority, and thing like that. They are simply thinking of turning the clock back and they will not succeed. Therefore, we ought to face the facts of the situation and go ahead. Mr. Speaker, it is in that respect that I would like to say that I have heard a number of threats made, people are saying, "This Government must do this," etc. Well, that is not the best way to get things done. The thing is this, if the Government makes a mistake—and I feel that all people are bound to make mistakes sometime—they are always open for constructive suggestions to try and improve what they are doing. No Government is ever going to respond to threats, the more threats people make the more deaf the Government gets. They should, instead, give us constructive suggestions.

Sir, I have made these few remarks because I have the feeling that some people have not properly digested the Budget Speech that they are now making comments upon. For example, they are saying things about the investment allowances, which the Minister for Finance increased from 10 per cent to 20 per cent, and included in it some industries which were not included in the previous year's Budget. Here you have a very important, constructive and effective way of inducing additional investment in this country. It is calculated by the Minister for Finance that it measures quite favourably with the whole mass of publicised ideas like tax holidays or pioneer exemption certificates. Here is something which Members, whether on this side of the House or that side of the House, realizes when he leaves the House and is talking to constructive business men and so on. He can then tell them, "Now, look, this is a very important thing by which we should induce investments." It is a very constructive idea, but I have still to hear people making comments on it. I think it is because, Mr. Speaker, they do not understand and it is particularly important, and also a very elementary rule of public life, that one never makes a speech on something one does not understand. If the people follow that simple rule then I think that this House will cause pride to our friends who look upon us as leaders of the country rather than noise makers for the sake of making noise.

I am one of the people, Sir, who believe that politics are not what people like to call it, a

The Minister for Commerce and Industry]

dirty game. It becomes that when people intend to make it so, but politics is not a game and politics does not have to be dirty. It is our duty, Mr. Speaker, to see that politics in this country from now onwards—when we are building a new nation—will be constructive and dedicated to service, and not a children's game that men, who have been elected by thousands of people, think they might play here without any shame whatsoever.

I beg to support the Budget.

Mr. Rumbamba: Mr. Speaker, Sir, first of all I would like to congratulate the Minister for Finance for the long Budget Speech he made the other week.

Mr. Speaker, I should say that the Minister's Budget Speech was contrary to the country's expectations. The country was waiting anxiously for the Kanu Government to fulfill the promises they made during the elections, but what the Government has done is to increase the burden of taxation, increased school fees, etc. Mr. Speaker, I should say that I went through the Budget Speech and I saw very little concerning the problems of the neglected tribes, such as the Samburu, the Njemps and the Turkana. These people, Mr. Speaker, are plagued by poverty, ignorance and unemployment, living on a pitiful subsistence. I think the Government should really have suggested some improvements for these tribes.

Another point, Mr. Speaker, I would ask the hon. Minister for Finance to consider seriously ways and means of helping these neglected tribes. It would be really unbecoming and unfair for the African Government to neglect the care of these tribes whilst they have also been neglected by the Colonial Government.

I would like to draw the attention of the Minister, Mr. Speaker, to stock marketing. I saw some projects in his speech concerning cash crops and other kind of crops. I want to know what the Government is trying, or planning, to do about stock marketing in this country. There are some tribes, Mr. Speaker, who only own stock and nothing else.

The last point, Mr. Speaker, I would like to make although I am not quite qualified about it, is about television. Is the Government spending some money on television in the country? I would say that if so this money should be spent on helping the neglected tribes instead of getting television, because, after all, television is a luxury.

With these few words, Mr. Speaker, I partly support the Budget.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I notice that the present Member for Kitale wasted his time.

First of all I wish to congratulate the Opposition in the chorus of congratulatory remarks they have been making on the Minister for Finance's statement. I must say, however, that they are a bit unenlightened, but I think this enlightenment only comes when the moon has changed.

I must also say this, that I was glad to hear a Member of the opposite side referring to his and other tribes as being primitive. I must congratulate him and I hope in future when I refer to them by kinder remarks than that they will not take me to task.

I must say, Mr. Speaker, Sir, that now is the time for action. We have a Government of the people of Kenya, and it is a Government of action and it is going to act. It is even going to do those things that the Members of the Opposition are complaining about. We will do everything for you but we only hope that you will see the light and receive the grace of God that will somehow make you think like wise men—as I know some of you are—and then make you cross the floor and join us.

The Speaker (Mr. Slade): I would remind hon. Members to address the Chair.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I am sorry.

I sincerely hope that my friends across the floor will do this job and they will, do it very quickly because as soon as it is done it will be better for Kenya. I know that the Kadu part and the African *Uhuru Pole Pole* also want *Uhuru* this year, and I sincerely hope that they will do everything possible to let us have *Uhuru* this year without unnecessary interference with Government policy.

I must say this about what I heard the Member for Kilifi saying here about things regarding this Government.

Mr. Towett: On a point of order, Mr. Speaker, could the hon. Member tell us which Member for Kilifi, there are two Members for Kilifi?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I was referring to the Member for Kilifi South. I will have something to say about that. I am going to say something about this Member because he deserves something of this country.

Mr. Alexander: He is the one with the hat on.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): He is the one with the ridiculous monstrosity on his head.

The Speaker (Mr. Slade): Order, order.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): I also want to refer, Mr. Speaker, Sir, to certain remarks made by the Member for Machakos North, I was in the House then. He made general reckless accusations, and I thought when I listened to his speech that he was addressing a meeting, in some way or another in Yatta. I did not think he was in the House of Representatives, and I sincerely hope that in future he will give us more constructive ideas about Kenya and Kenya's future. Now that we have got a Government of the people of Kenya I am quite sure that everybody will work together and the theme—as I know it now—is togetherness. I sincerely hope that everyone in Kenya will work together to move forward together.

I want to refer to the hon. Member for Machakos North, his name is Paul, and I sincerely hope that with spirit of the new Pope who is called Paul, he will join with us in doing the right things together.

Mr. Towett: On a point of order, Mr. Speaker, is it in order to have names of hon. Members tied up with the names of Kings and Popes and so on?

The Speaker (Mr. Slade): I think so, unless the reference is offensive.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): It would appear that the hon. Member for Buret does not know that being tied up with His Holiness the Pope is one of the biggest honours one can have in this country.

Only a few weeks ago, Mr. Speaker, Sir, there was a conference in Addis Ababa, and I sincerely hope that in this House in the future—as one of my colleagues has already said—we will stand together and forget about these ferocious manners. Let us think, first of all, of getting our Africa united together—

—An Hon. Member: With *Majimbo*.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Without *Majimbo*! The spirit of Addis Ababa is the right

spirit for us without *Majimbo*. At the moment, as everyone knows, we only have an East African Common Services, but we must now think of an East African Federation.

We welcome the idea now that Zanzibar also has achieved internal self-government. With this Federation in mind I sincerely hope that my friends opposite will think in terms of helping the Government to go into this East African Federation together with the people, with the will of the people as well as with the will of the people in this House of Representatives. With this we will have the East African Federation made a perfect reality, although it may mean loss of sovereignty to certain places. We also hope that those hon. Members who do have association with that Federation and with the people in the North-East will persuade the people in Somalia that what we are thinking of is not the local *Majimbo*, but what is more important, more useful and fruitful to the development of Africa as a nation.

If I may now, Mr. Speaker, Sir, go on to one or two items of a general nature arising from the Budget. An hon. Member said that he has read the Budget Speech, but I am quite sure that many Members have not done so, and from the speech I heard the hon. Member make I do not think he did either. But he said one thing on which I wish to comment. On a certain occasion a week ago I took a point of order when an hon. Member spoke. It had to do with the activities of certain members of the staff of the King George VI Hospital—that was again a remark; but I would like to say that this was a complaint and I am telling him that the Minister will see to it that these complaints are dealt with. It is said that people go not only to the King George VI Hospital but to other hospitals as well and wait and wait for hours, sometimes in draughtily waiting-rooms, and I hope that this will all be attended to. I also hope that if the Opposition will only support everything, it will all be done to their satisfaction. I would point out that there has already been an application made to the Ministry of Health regarding a proper, modern hospital in Kisumu. I am not being provincial here, but it helps the Western Region. It helps Uganda, as well as everybody in that area. The people of Kisumu need a real modern hospital worthy of a big town like Kisumu; and Kisumu is likely to be the federal capital of East Africa if you are not careful. It has an airport, it has a lake, it has labour, it has everything in fact, even water.

Moving on and without making any reference to the statement made by the hon. Member for Butere, I come to education.

[The Parliamentary Secretary for Natural Resources]

There are certain places with a lot of primary schools, Mr. Speaker, Sir, and I wish that the Minister for Education would think it fit, when the time comes for secondary schools to be developed as quickly as possible in the areas with proportionate primary school output and, of course, Gem is one of those places with a primary school output larger than most areas.

Two years ago we did not have one inch of tarmac in Nyanza—this again is not being parochial, but provincial—and now that we have helped the Western Region people—the people of North Nyanza that is—we would like the Minister for Works to start immediately as soon as we have finished this Budget Debate on the construction of the Kiambu-Maseno-Yala-Masaga-Busia road, and I am sure that will be done. I will now move on, Mr. Speaker, to settlement. I would wish that whatever settlement is made by the Minister should not be done simply because we want the fragmentation of some very beautifully laid-out farms and holdings. This would be a most uneconomic matter, and a most uneconomic way of doing things, and should be stopped. However, settlement should be speeded up to be given to people who deserve and who are capable of working those farms. It should not be given to him simply because his name is Njeroge or Kamau.

Mr. Towett: Will the hon. Member give way?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): No, Sir. Now Mr. Speaker, as my time is nearly running out I would just like to say that when I go to Legal Affairs the court elders all over the place are complaining, and with the new Bill I am quite sure that we will do everything—and I am sure the Opposition will also—to make appointments with the elders, court clerks and all the people having to do with African courts, in fact all people who are able, willing and competent to serve the people, and also us as well.

Coming now to regional affairs, I have heard since yesterday that some regions are already in trouble. Some of them do not even have a capital; they do not have the money to run their regions. Well, you had better ask Ngala, but the people who think like he does, that is all the people who have foisted upon us such a scheme, must think carefully—

Mr. Towett: On a point of order, Mr. Speaker, could the hon. Member not take the trouble to say the hon. Member for Kilifi South?

The Speaker (Mr. Slade): Yes, he ought to.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): I am sorry, Mr. Speaker, I will not do so again. The hon. Member for Kilifi South deserves a lot of this country, and I sincerely hope we will give it to him, and I thank the hon. Members on the Opposition would wish me to say what it is. Because he has foisted this expensive *Majimbo*—

The Speaker (Mr. Slade): Order, order. You will remember that a large part of last week I was asking hon. Members to cease from repetition of the same argument, day after day, hour after hour, on the subject of *Majimbo*. Now please bear it in mind.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): I am sorry, Mr. Speaker. Anyway, what the hon. Member for Kilifi South, and those who have worked with him, deserve, is to be given a permanent and complete holiday from Kenya politics.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, I stand with the voice of the majority to speak on the Budget. Mr. Speaker, Sir, I am sorry that the hon. Members on the Opposition side are only trying to make a lot of noise in this House so that they may delay the Government from carrying out its plans. This is a Government of the people of Kenya, Mr. Speaker, Sir, and I want the Opposition Members to understand that we are here with the voice of the majority and we are going to rule according to what our people want, and according to what Kenya as a country wants. It is a Government with a full power and the Budget, as it stands, goes a long way and it was well drawn up in such a way as to please all the people in this country. The Budget contains everything, educationally, development-wise, agriculturally, and all that you ever need. Therefore, I would ask the Members of the Opposition to be patient and to wait to see what the Government is going to do, but not to come here and shout. I am not a *Majimbo* man and this is not going to be a *Majimbo* Government.

The Speaker (Mr. Slade): You are repeating these arguments again and you must not do so.

The Parliamentary Secretary for Home Affairs (Mr. Moss): I am sorry, Mr. Speaker, but *Majimbo* (inaudible.)

The Speaker (Mr. Slade): Will you stop, Mr. Moss, repeating arguments that I have ordered hon. Members to cease repeating, and you have just this minute been told to stop repeating. Talk about something else.

The Parliamentary Secretary for Home Affairs (Mr. Moss): I am sorry, Mr. Speaker, I will not repeat it again.

I want to defend my Ministry very strongly from the unnecessary opposition by the Leader of the Opposition. Mr. Speaker, Sir, in the first place the Leader of the Opposition said that a Ministry of Home Affairs in this country was unnecessary. I want to make this point very clear, the Leader of the Opposition knew very well that this Ministry is the backbone of this country. It is the mother of the country, it is the Ministry that guides the internal affairs of the country, Mr. Speaker, Sir, the Member of the Opposition knows very well that the duty of this Ministry is to see that everyone in this country behaves himself. My Ministry, Mr. Speaker, is going to control the people and see that they behave themselves.

The Leader of the Opposition knows very well that because this Ministry is against any sort of autonomous Government, I wanted them to see, Mr. Speaker, Sir, that this is one of the Ministries that they should be proud of. I should not be so long but I want the Opposition to realize what we need now is their constructive ideas and not to shout. They should also know that as the Opposition they can speak millions of words, but the Government is decided. Thank you, Mr. Speaker.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, Sir, thank you very much for the opportunity to say one or two things on the Budget, which many of the Members have avoided facing. Mr. Speaker, Sir, it is a great pity that the hon. Leader of the Opposition and the Deputy hon. Leader of the Opposition, should stand up here and tell this House that the Government has not presented to this House development plans when indeed in our development estimates we made provision for exactly the kind of development, the development of water resources and what not in the areas they mentioned. So I would appeal, Mr. Speaker, to all the Members in the House to read, to study and to be prepared to do some homework so that whatever opinion they express in this Chamber may be worthy of themselves and may have a chance of being taken seriously by the Ministries concerned. Otherwise no one will treat them seriously. Mr. Speaker, Sir, I want to reply particularly to one issue. We have been accused that we have done nothing in the Budget to deal with the one big

problem that faces this country. And that is the problem of the mounting unemployment of our people. (Hear, Hear.) Now we are all entirely agreed that this is the fundamental problem the economic and social and security problem, facing this Government and facing this nation, but what the hon. Members must understand is that the present Government has already set about solving that problem. Mr. Speaker, Sir, before this Government was elected everybody knows that the crisis of confidence which brought about falling investment and which in turn brought about the unemployment was because there was instability of Government. And the fact is that the investors either in agriculture or industry, postponed investment, they wouldn't put their money here, because they were not sure what was going to happen. When this Government was formed, on the day it was formed, you could see with your own eyes, you could feel it around you, the atmosphere changed. After more than five years everyone in this country, everybody overseas, knew where we are going, and it was on the day that this Government was initiated that the Prime Minister gave the signal about the new spirit, from whence it has gone overseas. And, Mr. Speaker, Sir, if the hon. Members do read newspapers then they will know that in the last two weeks that one indicator of revival of confidence, the index of industrial shares, in the Nairobi Stock Exchange, was the highest since 1960. And indeed the hon. Members who were in the Government in 1961 and right through 1962 should themselves pause to think again why nothing happened when they were leading that Government. They come here and they are not willing to recognize the fact that already the people know that we are going to have a stable Government that will guarantee the one fundamental guarantee, Mr. Speaker, Sir, we speak of guarantee, rate of interest, everything else, but they seem to forget the fundamental fact the investor will ask, what is the prospect of law and order being maintained? What is the prospect of having a Government that is fair and just and firm and which will give them the opportunity to operate unmolested. Mr. Speaker, Sir, I would like to present to this House that these are exactly the conditions which this new Government has given the country and therefore we have created the pre-condition for all the other things which the hon. Members are talking about.

I want to stress another point. Everybody here stands up and says that the Government has not done this, the Government has not done that. They seem to forget that in our economy in this country the bulk of the investment, more than 60 per cent last year came from the private sector.

[The Parliamentary Secretary for Home Affairs] Indeed, if we do not revive investment from the private sector, the measures of the Government will not be adequate to take in or to absorb the problem of unemployment. And yet they know in the Budget the measures that have been taken by the Ministry of Finance to encourage private investment. We have not increased company tax, except that we have brought up to date the taxation on controlled companies, and for those controlled companies the shareholders will be able to deduct whatever tax has been collected in their favour. Now, Mr. Speaker, we have gone further than that; we have given assets or incentives. We have raised the investment allowance from 10 per cent to 20 per cent. Beyond this Mr. Speaker, the Minister for Finance has gone on and he has shown his willingness to protect local industries. What is more than that we want to replace all these imports of goods which we can make here, we want to replace them by making those goods here and therefore providing not only employment but incomes and in turn this will make more money available to the Government and therefore for social services. Mr. Speaker, Sir, these are facts, they are included in the Budget. And we have gone out of our way to stress that any potential investor will be given a full measure of protection by the Government. This is what was required. In the field of agriculture where the hon. Members have been attacking the Budget we have gone out of our way to help the farmer. This year the Land Bank will have more money than before for loans to the farmer. This year, Mr. Speaker, the cereal farmers, will as a result of this Budget have a subsidy on fertilizers to help them. We are going to recognize the marketing arrangements because let us face it, it is no use saying we should grow what not in Samburu or we should increase the cattle population in Meru or in some other place, if you cannot have a market for your products. This Government has already started the process. You were told by the Minister for Agriculture that we have set up committees to check on the ways that the marketing organizations work in this country. So already, Mr. Speaker, we have started on that dynamic leadership which the Prime Minister talked about on the day that this Government was initiated.

Mr. Speaker, Sir, I want to go on to talk very briefly on settlements. One thing that the hon. Members, and particularly the Opposition Members must get clear is that the money that is being used on settlement schemes is borrowed money, from other countries, for the simple reason, and a hard economic fact, you have to live with, and do something about, for the simple

reason that we do not have enough surplus from sources here to spend on settlement and therefore we have to borrow the money. When you borrow money, Mr. Speaker, Sir, it is not always possible for you to dictate the terms on which you borrow. More important, the people who lend us money for these settlement schemes, they want an agreement ensuring that they will get their money repaid and, usually, they insist that the investment must be shown to be, today, a productive industry. In other words an investment that has a chance of repaying. It is therefore futile for the hon. Leader of the Opposition to stand up here and say that more money should be laid aside for plants for mangoes or coconuts at the Coast. It is not for him or for me to determine, it is for him to show that sort of project is productive and could be financed. And then he would be making a positive contribution instead of destroying that atmosphere of confidence which we have created over these last few weeks. Mr. Speaker, Sir, I want to stress people seem to think here that if you call any expenditure of money investment it therefore becomes investment. Let us be quite clear, the foreign man who lends you that money is not deceived by what language you use. He wants to see the concrete statistics of the project you have. And if the project is not productive he will not agree to lend you the money. The settlement schemes, Mr. Speaker, Sir, are very productive, and any aspects which the hon. Member may think should be amended, he could be very well occupied notifying the Minister for Settlement and the Minister for Agriculture as to how they could be amended so as to become more productive. We, on this side, are entirely open to suggestions and indeed that would be a very positive role for the Opposition to play.

Mr. Speaker, Sir, let me say two words on education. The hon. Leader of the Opposition stood up here and shed crocodile tears over a thing which he himself as a Minister of the past Government approved. It was in the last Coalition Government that he agreed with the recommendations of the Fiscal Commission that the high subsidies which were being paid to European and Asian schools, secondary schools particularly, should be withdrawn because it was an anomaly that only certain racial schools should have that subsidy when the great majority of schools in this country were not getting that subsidy. Before these amendments it was a known fact that it cost the Government £129 to help to support one European child in a European secondary school, whereas the Government spent £19 only on an African child in an African secondary school. Now the point is that every-

[The Parliamentary Secretary for Home Affairs] body in the last Coalition Government felt that this was straightforward discrimination and they themselves agreed that that should be removed by cutting out the subsidies to European and Asian schools. If the results are that the fees have to go up, surely these are the known consequences of the actions that were decided by the hon. Leader of the Opposition and his friends in the last Government. They should have known that these were the logical consequences. If they did not know surely they have only themselves to blame.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

They shouldn't try to pass the buck. I fail to see, Mr. Deputy Speaker, Sir, what the Opposition wants us to do. Do they want us to perpetuate the system where certain racial schools are subsidized by the Government more than the majority of the schools in this country. They stand here and have the audacity to challenge the Government and to say that we are guilty of discrimination. We are the people who are trying to put things right.

Mr. Towett: Mr. Deputy Speaker, Sir, I want to make this point of order, is it in order for an hon. Member to assume that we on this side, who are not in the Government, should have known what was going to happen in the Budget?

The Deputy Speaker (Mr. De Souza): No. That is not a point of order.

The Parliamentary Secretary to the Treasury (Mr. Kitaki): Now, Mr. Deputy Speaker, Sir, I should have assumed that the decisions would have been communicated to the hon. Member, particularly as he is their political adviser.

Mr. Deputy Speaker, Sir, I want to speak on another point, we have been challenged here that we did not have the mandate from the Electorate to go on with the East African Federation. I think, Mr. Deputy Speaker, anyone who knows the results of the voting in the last General Election, and indeed, Mr. Deputy Speaker, do you have to know the results of the elections? You just have to look on this side of the House. We cannot even get room to sit in this place. Mr. Deputy Speaker, Sir, I think it is quite clear that we have the mandate of the people and make no mistake about it, it was clear in our manifesto, that if Kanu Government was returned, we were going to go out of our way to speed up the linking of the East African countries, and indeed at every meeting we spoke and the hon. Members

here indeed attended some of those meetings in Nairobi City Hill; at every meeting we spoke we went out of our way to explain that we would federate immediately we were elected, and indeed, Mr. Deputy Speaker, if the hon. Members of the Opposition support the idea of Federation in principle, then what is wrong with going about it right now when the iron is hot. Why do they want to wait, or is it, Mr. Deputy Speaker, Sir, that they have been so used to the mentality of waiting, waiting, waiting, that even on this one great issue, they also want to wait. Mr. Deputy Speaker, Sir, I would like to end by appealing to the hon. Members, all hon. Members and particularly the hon. Leader of the Opposition, that on this momentous day when we are engaged in establishing a new big prosperous nation, a nation which will give us a chance in Kenya and in East Africa to solve these big economic problems like unemployment, I would like to appeal and particularly to the Leaders of the Opposition, and particularly to the hon. Leader of the Opposition, that while we are engaged in that big task, he should rise to the occasion, he should show that he is capable of leading and he should talk big, and he should talk about the great Pan-African unity, and cease talking about small principalities, where he may be King, but his people will continue living on mangoes and he will never be able to help them.

Mr. Muliro: Mr. Deputy Speaker, Sir, I also join the chorus in congratulating the Minister for Finance on his fine delivery of his Budget Speech and proposals. I have my happy moment in that the Minister also finally now has established the Kenya Development and Finance Company. I am particularly grateful about this, Sir, as I have been very much engaged on the project with the Minister, it has been our dream and at last we have realized it.

Another point, Sir, where I am, father, disappointed is the embargo on the planting of coffee by Africans. I find, Sir, that it is only recently that the African grower has started growing cash crops. The coffee and tea, have been very lucrative in the past for the European farmers, but today, Sir, the Africans in various areas have been told not to plant any seedlings at all. Now, Sir, I find, that this time, Africans have been encouraged to grow coffee, to plant more schemes for the next three or four years, because Sir, I find there are some Europeans in the past who have been growing coffee, a number of them have left, a number of them have neglected their

[Mr. Muliro] plantations, and those who have neglected their plantations should be replaced by African growers.

Another item which we want to see Africans to increase in production is tea. As far as the tea market is concerned, Kenya has got a better chance to sell more tea today in Britain, than we could sell even more Kenya coffee, and therefore in areas where land is suitable for the purpose of growing tea, more acreages should be given to the Africans so that they grow more tea. I would emphasize the point that the District of Kakamega and the mountain slopes of the District of Bugoma are very suitable indeed for planting tea, as well as Kericho and the Kisii Highlands, so is Meru and Embu. Those areas, are very, very suitable indeed, Mr. Deputy Speaker, for the purpose of growing tea. We know very well that an embargo now on tea is meaningless, because we can definitely dispose of more tea on the London Market from Kenya, than we could dispose of Kenya coffee on many markets today. I have got people in Britain who are engaged in tea trade and those people are only too willing to buy more tea from Kenya, and I think, Sir, if we could encourage more Africans in these areas to plant tea, that would be of great benefit to Kenya.

Also the Minister should encourage and look around for cash crops which do not appeal to growers. They may not be popular with the people in some cases, but as long as they are suitable for the purpose of cash crops, he should introduce those crops in many African areas.

Now, Sir, another point I would like to raise is on the question of dismissal of African labour in the Rift Valley. There are very many people, and this has happened to those hon. Members, like me, who are representing settled areas. We find very many people, Sir, being dismissed. We know there is big unemployment in the country, but definitely there must be some understanding. There are people who have been living on various farms in Rift Valley for the last thirty or forty years. These people have no home at all in the reserves. You can never expect them to get a piece of land anywhere, but now they are being dismissed, many of them are being taken by the police from the farms where they are staying to the railway station or the roads. I have seen this myself in Trans Nzoia. People are taken from the places where they are staying with their *nkusis* to the railway station. You will find people being sent to the nearest roads, and recently in Trans Nzoia District we had the most appalling incident where a woman,

who was pregnant, delivered at the railway station. This, Sir, is most inhuman. I find the Minister for Labour must do something to some of these antiquated pre-*Uhuru* Ordinances, like the Labour Ordinances, which are colonial Ordinances, and still operating in the most ruthless manner in these areas.

I am doing my very best, as the Member for Trans Nzoia, to see that we try to reduce the problems of the district, and I am sure my hon. Members from the settled and other areas are doing likewise.

The other problem, Sir, I would like to talk about is on the issue of integration in schools. It is true there was a very high subsidy in European schools in the past, but I think it is also true that now is the time when Kenya should move forward, trying to integrate educational systems throughout the country. I think increasing the school fees of European schools will do the exact opposite to what this Government wants to do in this country. It is doing the opposite, Sir, in that only those Europeans and Asians who can afford to maintain their children in these schools are the only ones who are going to get their children to go to those good schools. Something must be done by the Government, Sir, towards the integration of educational facilities throughout the country so that we build an integrated nation.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Rift Regions can certainly drop!

Mr. Muliro: Mr. Deputy Speaker, Sir, the question of integration of schools in the Rift Valley is the problem of the President of the Rift Valley Regions.

Another point, Sir, I would like to labour on, and I am disappointed that the Minister for Finance has not carried, is the question of airport tax. The airport tax, Sir, whether the Minister overlooked it this time, but in a supplementary estimate in which the hon. Minister is bound to move in the course of this financial year 1965-64, said something about airport tax. The hon. Members who have travelled know very well how much money we have spent in other countries on airport tax. Our friends in Tanganyika have already set about it, and I find it high time, Sir, that in Kenya we also introduce the airport tax to deal with the travellers who are travelling outside East Africa.

Mr. Deputy Speaker, I am speaking for thirty minutes from this side. I want to say, Sir, that wherever we go to the airports of Europe, America and Asia we always have to pay ten shillings and sixpence, sometimes in other places ten shillings, at the airport.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): You will not make much out of Kitale Airport.

Mr. Muliro: When I talk of airports, I am talking of Nairobi Airport. I am not talking of Kitale; I do not go to Kitale. Only the very small airlines go there. Now the airport tax, Sir, should only be for passengers travelling outside East Africa, and not those who are travelling from Nairobi to Dar es Salaam or to Kampala or Entebbe. Anyone travelling outside East Africa should be charged ten shillings and fifty cents, or ten shillings to travel out. In this way, Sir, we should take a very good income from this House!

The other point, Sir, that I should like to raise is on the issue of the settlement schemes. These settlement schemes, most of them are unproductive, most of them are uneconomic. In the past, Sir, we have looked at all the settlement schemes. The hon. friend knows my views very well. My views on settlement schemes have always been very clear, that we do not want uneconomic fragmentation of land in Kenya. Therefore, Sir, in the past because of the political heat to create the settlement farms we have created some unhealthy settlement schemes, but today, when everything is becoming nearer, we should measure everything in terms of economics rather than political experience. I say this, Sir, because some of the people who are being settled on this land are not going to exploit ten-acre plots. Larger acreages should be given to competent and careful people to make better use of them, rather than ten-acre plots. Fifty or one hundred acres or more, Mr. Speaker, Sir, I would prefer to see that there are co-operative farms where people on a rotary scheme share the profits and manage the farm as one complete whole, rather than divide into little pieces.

Another point I should like to raise is that with the creation of too many Ministries.

The Deputy Speaker (Mr. De Souza): I do not know whether you are aware, but the Speaker has given a ruling that there should be no more discussion on the question of more Ministries, particularly the one for Pan-African Affairs, so I would rather that you did not speak on that subject.

Mr. Muliro: Thank you very much, Mr. Deputy Speaker. I am not going to speak about the Ministry of Pan-African Affairs, but generally I find the burden to this country of such a heavy Cabinet is not warranted. I want to make it very clear that, for instance, the creation of

the Ministry of Regional Affairs and Local Government, all that would be—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, has the Speaker not ruled that this subject has been spoken of enough in this debate?

The Deputy Speaker (Mr. De Souza): Mr. Muliro, as I told you a few seconds ago, there has been so much debate already on this particular subject that the Speaker has ruled, according to the rule against repetition, there should be no more debate on this subject.

Mr. Muliro: Mr. Deputy Speaker, Sir, I would not like to labour on this, with respect to the ruling of this House.

The final thing I would like to talk about, Sir, is the question of an East African Federation. A number of hon. Members in this House have spoken on this already, and have been ruled 'out of order, therefore I should be in order.

I find, Sir, I do not want to tire the House, but I want to make it very clear that all of us want to see a genuine East African Federation. "A genuine federation" is my word. We do not want to create a confederation whereby we are only creating jobs for people. We want a federation whereby we will have one head, one country and one Minister for every Department of State, and not one in which Kenya, Uganda, Tanganyika and Zanzibar will have far less meaning than they have today. However, Sir, if we are looking in our aspirations for a confederation, a confederation is always the source of economic weakness which we shall never accept. That, Sir, is a view which I hold, and I hold those views very firmly, and all my colleagues who are on this side of the House definitely wish to see something of that sort being implemented in East Africa to be a party of everybody else, and *Malimbo* will only be provinces of East Africa. I want to make it very clear, Sir, that unless you reduce the provinces of East Africa to the *Malimbo* regions then Kenya, Uganda, Tanganyika and Zanzibar will be at loggerheads. You are looking for a confederation and as such it will be the source of weakness.

I beg to support.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): Mr. Deputy Speaker, Sir, I rise to support the Government in this debate, and particularly the Minister for Finance in the very able way he moved his Budget. I must also support and congratulate the hon. Member for Doonholm, Mr. Mwal

[The Parliamentary Secretary for Works, Communications and Power] Kibaki, on a very, very able maiden speech which he made to this House this afternoon. He really showed that he was a professor or a lecturer in a university, and what he has done today sets the pace for what most of us should aim at in the debates in this House.

Mr. Deputy Speaker, Sir, I want to make just a few points, and some of them will be aimed at reminding the Government, and also the Opposition, of some of the responsibilities that fall on us as Elected Members of this country in this House. First of all, Sir, the Kenya Constitution we have today is a very complicated one. The Constitution came into being as a result of many, many hours and many days of deliberations in a conference. It was then made, it was created, and there is no reason why, as has already been said by the Government, we should be afraid of another conference to try and re-make it, amend it if necessary, as it has already shown that it is necessary, and for that reason, Mr. Deputy Speaker, I think my friends on the opposite side should have no misgivings to have another conference—a very short one—to just polish up what we did a few months ago.

Mr. Deputy Speaker, I would like to touch, just a little, on the point of taxation. The Government has rightly placed taxation where it should be, on the local government, the county councils, and especially the graduated tax. What I should have liked to see the Minister do, and I hope he will consider this very seriously, is to give a sense of direction to these very young county councils, have a kind of meter on which they can graduate and start levying this tax, and a method of collection. It is not always very easy for young councils to begin on their own without any kind of direction. They may not follow the set-up completely, but it would be a great help.

My next point, Mr. Deputy Speaker, touches on education. In our manifesto, as the majority party in this House and the Government, we made it very clear, particularly at the end of our manifesto, that four chief enemies are to be fought, colonialism, ignorance, poverty and diseases. So far this party has shown nothing but strictly keeping to their words that they gave to the electors. Colonialism is almost gone, it is out, so item number one of our promises is covered. Ignorance: we are already trying to eradicate ignorance. I should like, in the course of our eradicating ignorance, to remind ourselves here in this House and on this side of the Government, that we must have a broader aim than we

have had in the past. Produce uneducated men for the sake of being educated and for life. This will mean that both the Opposition and the Government will have to forget the type of Colonial education that we have had, which produced a man who thought of nothing, but being employed. We must produce a man that will be able to fit into the aims that we have set before us of raising the standard of living of our people, eradicating ignorance, poverty and diseases: a national outlook, and a broader outlook is a must, and we must have it. More money for education will help us. While on this point of education, Mr. Deputy Speaker, I would like to ask the Minister whether he would not consider, even as a token, a gesture, at this stage, to say whether fees could not either be totally removed, or reduced in the cases of girls going from Standard 1 to Standard 7 or 8 as a part of our aim for free education of the primary schools. I am not pressing the Government to do this. I know that there are difficulties, but it is a point worthwhile taking, especially if we want to encourage our girls to go in for education, and also to remove the barrier that parents usually put on girls' education.

Mr. Deputy Speaker, I gave a further point regarding the civil service. One cannot help admiring the way the civil servants are taking up their new assignments and duties. However, there are points and times when one feels that some of these seem to be somewhat lost. They don't have a sense of direction, the morale is low in some of them. If the Government can look into the possibility of raising the morale of some of this very fine material for future administrators of this country, and civil servants, it will go a long way to establishing a sound civil service structure in this country.

On the question of eradicating poverty in this country, Mr. Deputy Speaker, I would draw the attention of the Government to a request that we have repeatedly made in this House. That is that the Government should turn its eyes more to the areas, which up to date, have been described as "areas of low productivity".

[The Deputy Speaker (Mr. De Souza) left the Chair.]

[The Speaker (Mr. Slade) resumed the Chair.]

The greatest needs of those areas are: provision for water; reclamation of some of those very fine and fertile lands; research to find the best cash crops for those areas; and also encouragement for people living some large distances apart and for self-help and for marketing of whatever products

[The Parliamentary Secretary for Works, Communications and Power]

they may have. I am sure our Government is very much alive to this, and they will not fall into the same trap as the Government of the past in not looking too much in that direction.

To add to that, Mr. Speaker, on the question of unemployment: the solution to unemployment could be approached very well for the individual and the nation. I am sure that there are some schemes which could be studied, could be thought of, which would help both the individual, the citizen of this country as well as the nation. Some constructive national schemes whereby the individual would be occupied doing some useful work for this country. I do not want to bring back old memories, but I would like to point out just one example of such a scheme.

During the days of the Emergency a lot of people who were locked up in detention camps were given some jobs. Very few of these jobs could be described as jobs of national constructiveness, but in a place like Mwea Tibere one sees some very useful work that was done by those people. I am not trying to suggest that people should be locked up in order to do constructive work for the country, but what I am saying is that a scheme which would take into account the possibility of occupying a person as an individual and producing some constructive work for the country should be thought of.

Another point, Mr. Speaker, I would like to put forward to the Government and this House is the urgent and imperative need for a review of our salary structure. It is not the first time, Mr. Speaker, that this point has been raised in this House. I think our salary structure here is unrealistic. I know, Sir, that something is being done, but I had expected that the Minister would tell us, even in a small way, how far the Commission has gone in this direction. He may find it necessary if it is not confidential to let this House know how much and how soon we could expect some changes to meet the salary structure realistically in this country. If the top salaries were truncated, and probably the base broadened a little of our salary structure, we might have contented K.N.U.T. and people working in the Health Department and the Medical Department so that they can find their position within the salary structure of the civil servants and people who work for this country in the various activities that we have.

Finally, Mr. Speaker, on the question of Constitution. Much has been made about the Constitution. Some three, four, five years ago we used to cry and ask for Uhuru, Uhuru is on us now:

we have reached a point of no return: no matter how much any Member in this House may try to say "Ngoja kidogo", or "Let us wait a little", the factor of time is not in our favour. We must do everything we can to encourage Uhuru to come as quickly as possible and I am sure this Government is doing its best to see that this does happen. I would ask the Opposition to remember that the present Constitution was made in a conference and it is in a conference that we can reach a really lasting Constitution which is needed for this country. The safeguard that made such a difficult Constitution necessary was because some tribes thought and still think that they will be dominated by others; but this is taken care of by the proposals of the East African Federation. There are smaller tribes outside Kenya, in other East African territories, who will help, if at all there is need for anyone to fear on account of tribes; to give a guarantee for those of our own tribes here who seem to think that, there will be trouble. Personally I am beginning to feel that there is no need to fear. We have reached a point of no return and taking into account the number of small tribes we have throughout East Africa I think no one should have any fear at all, and we should work courageously and hurry the day when we can establish, as soon as possible, the East African Federation.

Mr. Speaker, Sir, with these remarks I beg to support the Motion.

Mr. Kariki: Mr. Speaker, Sir, I have been following with keen interest the speeches made by the Opposition during the Budget Debate.

There was criticism levelled at the Government that they forgot about their promise to provide free education for their people. I would like to remind hon. Members of the story of Alice in Wonderland; that girl was walking along the road and she met a creature or a character called Humpty Dumpty. She asked the character which way she was to take as she had arrived at the junction of the road. The character asked her where she was intending to go. The child replied that she did not know where she was going. Humpty Dumpty then told her that in that case it did not matter which way she took. This means that if one does not have any particular place to go, it does not matter which way you take. The hon. Members of the Opposition have no goal; Kanu has a goal and that is to provide free education for our children in time. Because these Members of the Opposition have no goal, it does not matter which way they take.

We have also been told that our Budget provided no provision to alleviate unemployment in this country. Some Members suggested that the

[Mr. Kariki]

road to Mombasa would solve the unemployment problem. I tell them this is not true. Even if we do start this road from Mombasa to Moyale it is short-term project. It will not employ more than 4,000 people. It will take only about six months and it is not a long-term project. After that where will this 4,000 people go?

This Government is not a Government of people playing with toys in a sandpit. It is the Government of people with understanding. What we are intending to do is to start bigger industries whereby most people can be employed. That is the only way we can alleviate the unemployment problem. Let us take for example one factory. Let us call it a sugar factory. That factory alone can employ many people. It will remain for ever. It will not discontinue after a few months. This same factory will build its own school. That means teachers will be employed there; hospitals and trading centres will arise, this will attract investment. I would like to remind the Members of the Opposition that this Government is not thinking of short-term projects, but it is thinking of something bigger. The population is increasing and more need arises to find employment.

We are also accused by the Members of the Opposition of not thinking of settlement schemes. There are some fundamental things which must be changed and I think the Minister concerned will deal with these. In my constituency, there are about 1,500 people awaiting to be settled. The hon. Member for Trans Nzola mentioned that there were many people who were discharged by the Europeans from that area. This is happening as a result of the policy of "go back to your own region, there is no room here". I am speaking with evidence, that there are some people in my constituency who have been told to go back to the Central Region where you will find houses empty, which the deserving Europeans going back to their own country have left. You must go and start planting and grazing stock. But most of these people have come back because they were misled. They were misled by some statements made by the politicians. Others are told to get out because they have been told that they do not belong to that region and must go back to their own. Some Europeans have tried to escape embarrassment from their employers when they were bought out by the Settlement Board. So that is how the situation is created. The Opposition was asking the Government to help them in transporting people back to their own regions. Surely, this is not fighting for the well-being of the people because it is causing this displacement.

On the settlement schemes I would like to say that it takes about Sh. 20,000 or about £1,000 to

settle one person. If I am not mistaken, Sir, I think that the Minister for Land Settlement will make that clear later. Some of these people will not be able to repay this money on loan to them by the Government. I am going to quote an example, Mr. Speaker, Sir. A person borrows money from the Government to buy ten acres of land, that is Sh. 4,000, and he is required to pay six per cent of the money borrowed. Now he has actually to pay this money in thirty years and by the end of these thirty years he will have to pay Sh. 11,200. Some of these people have planted crops on their own farms, their potatoes have rotted, not because of their mistakes but because of floods and other things. I would like the hon. Minister to go into details and find out what would be the solution so as to alleviate the position and to make sure that they will be able to pay their loans during these thirty years. At the moment I do not think there is any guarantee whatsoever to see that these loans will be repaid in time. If a person cannot reap a harvest how is he expected to pay his loan in time? In that case, Mr. Speaker, I ask the Minister concerned—because I think this was done by the Coalition Government—who is in our own Government to go and find out a solution for that baffling problem.

Another thing, Mr. Speaker, Sir, is about the houses that have already been left in the settlement schemes. It seems to me that those houses are not cared for—there is no policy for this—and it would be better if something is done to see that we do not waste these assets. Some of these houses cost more than £5,000 or so. Some of the land is bought by the Settlement Board but house is left. If we are not careful we are going to waste a lot of assets as far as those houses are concerned.

The other thing, Mr. Speaker, Sir, is about the houses that are now being built on settlement schemes. You will find that some of the houses are built half of cement and half of grass. I would like to quote, Mr. Speaker, Sir, from a speech given sometime ago by Mrs. Elsie Huxley, with your permission, Sir. In this, although I do not accept the whole account on which she wrote, there are some facts which cannot be ignored. She mentioned, "borders choked with weeds, suckers on un-pruned roses, jacking roofs, broken panes in empty houses. A melancholy sight which I have seen too often in the last few months. Good houses, made of stone or timber with parquet floors, tiled or shingled roofs, a lot of pride and care have gone into them. Houses built to last, to bring up a family in and to pass on to a son or daughter."

[Mr. Kariki]

Mr. Speaker, Sir, if those houses are built for those people in the settlement schemes with Government loans, would it not be better to have better houses than to have those types with iron-sheet roofs? She went on to say: "Sometimes I get the feeling that I was watching the hands of the clock actually being turned back, in an age when every other country in the world is moving towards a bigger unity, towards planning, mechanization, mass production, centralized marketing. An age (like it or not) of assembly lines and computers, nuclear power and automation, collectives and kibbutz. Kenya alone chooses to revert from tractors to hoe, bulldozer to hand-axe, stone house to mud shack." It is like the case of "Everyone being out of step but my Johnny". This is a comment by a certain woman in England when she saw that all the other soldiers were marching well except her own Johnny. In that case, Mr. Speaker, I am quite sure that our Minister is going to take some steps towards that.

The Speaker (Mr. Slade): Your time is up.

Mr. Mbatia: Mr. Speaker, Sir, I would like to congratulate the Minister on his Budget Speech. I think there is quite a lot in it which can be appreciated by both sides of the House. One of the things I would like to point out—and I hope the Minister will take it into consideration when he replies—is about settlement. The settlement schemes that are planned for this country seem to be planned for the Central Province only. I know this is so because all the settlement that is done is either done in the Central Province or in the Rift Valley, very little, if any, is done in the Coast Province.

An Hon. Member: Shimba Hills.

Mr. Mbatia: One hon. Member has said "Shimba Hills". Can the Minister concerned tell us how many people at Shimba Hills are of Coast origin? You will see that settlement was not meant for the Coast people. At the Coast we have the problem of land, this problem is not confined to the Central Province and the Rift Valley, we have got it as well. We have people who have been living in areas that belong to Asians and Arabs and now they have nowhere to stay. The Minister should always bear in mind that this problem is not confined to his area alone, it is all over the country and the Coast is included. We have very bad cases. For example, in the Malindi area there was a clash of people because both the landlords and the squatters had been there for a long time and they came into collision.

Sir, I would like this problem to be reviewed, and the Minister should make sure that this question is dealt with properly and not only confined to one small area.

Mr. Speaker, Sir, another thing I would like to say is about the question of Scheduled Areas and Non-Scheduled Areas. These areas, Sir, have led to the top-sided development of this country. You come to this country, Kenya, and you find some areas are well developed and then—as one Member here said—some people belong to a neglected tribe. He was telling us the truth, he was telling us what we have been left with and what we must put right. I think the Government should see that these things are put right. There are some areas in this country which are neglected because they are termed an Non-Scheduled Areas. We have a country and this country belongs to us all and we promised to develop it and yet the Government develops only part of it.

Sir, some of us are very unfortunate; we come from areas that are very dry, from areas that are not termed as "Scheduled Areas", and therefore we have suffered for a long time. We have not been regarded as worthy of the pennies that come to this country. It is the duty of the Government to change this attitude and spread the money more evenly. We cannot get money from abroad because the Minister has failed to make a good case, we are told that there must be a good case so that money can be spent on a certain area. Well the Minister should try to get money from somewhere else to make sure that the country is developed properly. The reasons that are given are that one must state a case that will be able to prove to the people that are giving the money that the money will be properly used and will be able to return a profit. Well, we do not want to know these things, the ordinary man just wants his area to be developed and it is the duty of the Minister to point out how these people can be helped. It is no use telling us that these areas cannot make a case to persuade people to lend money to this country to develop that area. That does not mean anything to the ordinary man, he just wants his land to be developed and he wants help from the Government, he has nobody else to help him. You are the people who are the Government of these people. Do something about it. It is no use coming here and telling us we have no case to put forward. That won't help us at all. We want the goods delivered to the man in the shop.

Mr. Speaker, Sir, the question of unemployment is another one. Unemployment is a disease; it is a disease that must be cured. We have been told in this speech of all the wonderful things that

[Mr. Matano] ing of factories and other such things. There is a tendency of building everything here in Nairobi. All the investors come to Nairobi. You have a factory, the factory must be built in Nairobi; you have a new school, it must be in Nairobi; you have a University, it must be in Nairobi. It is time we began to look to other areas. If people would only look round this country, let us have the factories, these industries all over the country, do not confine everything here in Nairobi. Why not in Mombasa, for instance, why not factories in Kisumu, in Kisumu, in fact we want factories all over the place. We do not want to confine them all in Nairobi. Mr. Speaker, Sir, I am trying to warn the Government that this thing exists, Sir, and I am trying to tell them to be careful. I feel that such things are very important for the development of the country. If we are going to have any development of any type we must remember that wherever there is industry there is employment and unemployment is not only confined to Nairobi and Mombasa, unemployment is spread all over the country and if we are going to have any industries developing in this country for goodness sake let us have them spread all over the country and not confined to only a few places.

Mr. Speaker, Sir, I do not intend to speak for a long time, in fact I do not think I will cover my fifteen minutes because a lot of points have been spoken on and I do not think that I should dwell on them or repeat them, but I think, Sir, that it is very, very important that we do not forget education. Education has been discussed in full but there is one aspect which has been neglected, either neglected deliberately or by mistake, and this is adult education. Mr. Speaker, adult education is very important to me. We can plan all sort of things, we can plan agricultural schemes, we can talk about education for children, but if adult education is neglected, Mr. Speaker, we shall be losing all the money that we invest in the education of our children. Adult education is important and I hope that this Government will not forget to set aside money and also try to plan for the development of adult education in full. It is not enforced as much as I would like to see and therefore, Mr. Speaker, I would urge the Minister to look into it and to increase and make it possible for adult education to be spread all over the country. Mr. Speaker, someone is saying that this is not sensible, this may be so, but what we want is action, we do not want words.

Mr. Speaker, Sir, I would like to end here and congratulate the Minister, but at the same time I would like to see action. These words mean

[Mr. Matano] some time to make profits, we have been told all these wonderful things and I think it is good that the Minister has done all this, but this afternoon we have been told the key thing that will make all these things possible or impossible, and that is political stability. The political stability of this country is number one, we must be able to have political stability of this country because otherwise all these things are useless. Are we going to have political stability? When you say that you are building a Manyani in which to put the Opposition, does that lead to political stability? Mr. Speaker, Sir, these are serious things. We have Members on the Front Benches shouting that some of us are going to go to prison, that there will be another Katanga here. Is that how we are going to get political stability in this country? We know what the Minister has planned and put in black and white to make it possible for us to have political stability, Sir, and that is very important. But this does not mean that I have no faith in the Ministers as people who do not know what they are doing. I have been listening to what they have been saying, but it is time that the Ministers tried to teach and instruct the new, raw—Mr. Speaker, Sir, sorry—the new, raw hon. Members so that they can act responsibly like adults and not like irresponsible politicians by uttering these unfortunate remarks to the Opposition. There is a place for the Opposition and we are going to make sure that there is an Opposition, the Opposition is going to remain here. Mr. Speaker, Sir, the Government has found a shelter. Everytime you tackle them on anything they turn round and shelter behind *Majimbo*, and this has been the quality of the debates from the day this House was opened. I do not want the Government to be so cowardly, every time they hide themselves behind the cover of *Majimbo*, shouting "*Majimbo, Majimbo, Majimbo, Majimbo*".

Of course *Majimbo* is there, who doubts it. Was it not some of your Ministers who signed the Constitution?

The Speaker (Mr. Slade): Mr. Matano, please, no.

Mr. Matano: Mr. Speaker, I am sorry, I am so sorry.

Anyway, Sir, I will not continue on that subject because it has been exhausted. I think and it is one that has been discussed for a long time. The next point, Sir, which I would like to mention here is the question of investments, and the build-

[Mr. Matano] will give quick results, which will show the people of this country that the Government is doing everything in its power to try and help raise the national income of our country, as well as the standard of living of our people.

If I may, I should like to suggest something seriously to the Government. I know sometimes they take our suggestions very, very lightly, but we give them with good will and we give them in a good spirit, hoping that they will see that they are constructive suggestions, knowing full well that we also on this side of the House are Elected Members of this House, and of course we are representatives of our people as they are, without trying to minimize that since this comes from the Opposition it carries no weight. That is a very negative attitude to adopt. The point I was coming to, Mr. Speaker, was that in the past most of our beef, both for home consumption as well as for export, used to come from the Scheduled Areas. This is a gross mistake of the part of the previous Government. If you look at the livestock population of this country, you will see that the livestock population in the African land units is bigger than in the Scheduled Areas, but absolutely nothing is done to enable the marketing of the livestock from these areas, and very little is done to try and fight the various animal diseases which make it impossible for the outlets of livestock from these areas. This problem must be solved, and the sooner it is solved the better. With the settlement schemes on it is true that the livestock population in the Scheduled Areas is declining. We must replace it and the only way to replace it is to improve the livestock in our areas as well as in the Scheduled Area. The land is there—beautiful grazing land—and if the Government could only provide ways and means of getting water into those areas, we could produce a lot of beef, not only for our own consumption but for our export markets as well.

Thank you, Mr. Speaker.

Mr. Ole Tipla: Mr. Speaker, Sir, much has been said already about the Budget, and I on my part would just like to add on a few points. Firstly, Sir, there was the speech by H.E. the Governor which really reflected the Government policy, and in this reflection there was nothing new, just the usual diplomatic language with, of course, no clear out direction, and the Minister for Finance followed the same sort of attitude. Now on this side of the House as well as on the other side of the House have been exchanging words, sometimes bitter words, opposing the thoughts and style of that matter, but what the African people want in this country is not mere words but action. The ordinary man wants to see that his needs are properly catered for. You can speak a lot of words, bush words, which contain absolutely nothing, which are not going to satisfy the ordinary man. Now if it is true, Sir, that the African is justified in expecting something good for a change from the Government of today, The African people of this country have been waiting for many so many years, their patience is running short, and unless the Government turns round with a crash programme instead of just talking and pretending to be working hard, well that is not going to satisfy us. What we really want is that our people are satisfied. Their standard of living is terribly low, unemployment has risen since the elections.

Of course, my hon. colleagues in this House—including the Minister for Finance himself—know very well what part they have played in raising the unemployment figure. They challenge me if they want me to mention it, I can reply publicly. I am capable of doing so. The true fact, which cannot be challenged, is that during the Election campaign in this country Members of the present Government spent millions of pounds in employing youths to help in the Election campaign throughout the country. After the Election, Members come here boasting and the youths are just left to the mercy of God, roaming the streets of our cities unemployed, unfed, and that kind of thing. How better could that money have been spent had we really embarked on a development project with the money which you brought from Moscow, had we embarked on a development project for the good of our people.

I should think that the right thing to do now is to embark immediately on some project which

Another aspect is the preservation of our wild game. This, Sir, has been mentioned time and

time and

time and

time and

[Mr. Ole Tjip] and I for one believe that money time again, and I for one believe that money spent in this field is money well spent. It is money which can bring a quick income, more so than any other item of expenditure. This must be done. We find that in areas where there is all this game there are no roads of access, no hotel accommodation, and the like. If we are to attract tourists to this country, then we must do something, and quickly, too.

I see my time is running short, Mr. Speaker, but I would like to mention here that you have other industries such as fishing. It is rather odd to see fishing boats coming from China to catch fish off our Mombasa shores, and something must be done in order that if it is a question of canning the fish we can establish a fish canning industry at the Coast.

I now come to my last point, Mr. Speaker. Much has been said about the statements by us people who call ourselves the Leaders of this country. It is true that our economic independence depends very much on political stability. There is no question about it, Sir, this is a very clear and true fact, but when you hear some of the Ministers of the Government making irresponsible statements which incite people, which go to the extent of provoking the ordinary man living peacefully in his own small village, then that Government must take full responsibility for the damage done to the well-being of this lovely country and its inhabitants.

Now that the hon. Minister of Finance is back, may I remind him, Sir, that I would like him to go into the question of paying the royalties of Magadi Soda Company to the appropriate region.

The Minister for Finance and Economic Planning (Mr. Gichuru): This has been agreed.

Mr. Ole Tjip: The other point is home industries. What we want really is some training for our women to do some spinning and weaving, that kind of thing helps instead of paying a few shillings, earned with difficulty, to shopkeepers.

An Hon. Member: What, the Masai?

Mr. Ole Tjip: I am not talking about the Masai, I am not Masai minded.

If all these things could be done then they would help us very much. Another thing, we have good land we could grow tobacco.

An Hon. Member: We are experimenting.

Mr. Ole Tjip: We are not interested in experimenting, we want to grow the tobacco. We don't want all these commodities imported into this country. We can grow them and we want, in addition to that, industries to process our agricultural products.

The Government will have no excuse this time. Last time we could blame and throw mud in the faces of the British Imperialists. Now you will have no excuse my friends.

And if you don't fulfil the promises you made to the people, you will be liable for misleading the country.

Coming now to the question of the East African federation, there is nothing wrong with it. We are agreed in principle. There is nothing wrong in the federation, but the way they want it done is an open secret. Their intention is to steamroll *Majimbo*. If the Central Government could give away its powers to the federation without interfering with the powers of the regions, then we would have no quarrel.

Mr. Arap Cheptikit: My name is Cheptikit.

Mr. Speaker (Mr. Slade): Haven't you spoken before?

Mr. Arap Cheptikit: Yes, I have.

Mr. Arap Mol: Mr. Speaker, Sir, after listening to the hon. Members Opposite making their speeches, I have learnt very little from them. I expected, Mr. Speaker, the policy of the Government to be expounded in this House and to be told what the Government intends to do. The ordinary person, Mr. Speaker, would like to see what an African Government is going to do for him. It is no use trying to minimize the needs of the people. If the hon. Members would care to listen to me they will learn a lot. Because it was only a few minutes ago that an hon. Member from the other side wanted to speak, when he had already spoken. Now, Mr. Speaker, Sir, it is no wonder that we hear irresponsible speeches from the other side because their ages range from twenty-one to sixty-five and the degree of wisdom varies accordingly. They should learn from the Prime Minister and other elderly men. My interest Mr. Speaker, and the interest of all who hold the interests of Kenya in their hearts is to see Kenya run smoothly to independence. I should like to mention one thing and one thing alone, some people think that we are still campaigning, when there is no campaigning. The Kenya African National Union has won, and we have given them a chance to lead the country. If they cannot lead the country well, then we will step in. Therefore what matters is what the Minister for

[Mr. Arap Mol]

Finance said. He said that, in one of the paragraphs of his speech: "This is a somewhat gloomy picture but the facts as set out in the economic survey cannot be altered and it would be wrong for me to attempt to gloss them over. Our prospects for the future depend to a large degree on the level of capital expenditure for it is investment now which leads to higher income in the future." Now, if the Minister for Finance intends to embark on that line, Mr. Speaker, then the rest of the Members Opposite should be quiet and embark on what should be done for the ordinary man in the street. The Minister for Finance should tell the younger Members what to do.

Mr. Ngala-Aboki: Mr. Speaker, Sir, is the hon. Member correct in calling us the younger men?

The Speaker (Mr. Slade): The hon. Member was not talking of any individual Member, and he is entitled to say that there are younger men in the Government, as indeed there are.

Mr. Arap Mol: Mr. Speaker, Sir, thank you very much for your ruling. I was not only referring to the hon. Member opposite but the whole lot in the country and the Government. It is not here that the hon. Members should learn. The ordinary person should also learn what the Government intends to do, and we should all use the words *Pamoja* or *Karambee*. How can the Government govern the country if each individual Member has his say as if he was the Prime Minister of the country. And I should like to say here: we recognize the Prime Minister as the Prime Minister of Kenya and we would like to know that he is speaking for the Government of the country, and not every individual, or every hon. Member speaking as if he was practising on a platform what to say. Now, Mr. Speaker, I appreciate what the Minister for Finance has done. I know what he intends to do sincerely and honestly and he should be backed by his colleagues so that this Budget is brought to fruition. I should like to mention one thing to the Minister for Agriculture. He should try to raise the ordinary man's standard of living to improve farming, to create more local industries. I should like to say this, and I am coming to my point, though some of the hon. Members would like to cut me short, I should like to advise the Minister for Agriculture to advise the Tanganyika Government to ban the importation of onions into Tanganyika and to safeguard the interests of Tanganyika and Kenya as well.

I am speaking on this through experience. Tang is a free port and onions are imported into Tanganyika without restriction, so we would like

to say that local products such as onions, grown throughout Kenya and Tanganyika should be sold locally at better prices. And therefore I should like to advise the Minister for Agriculture to embargo goods on constructive lines which would help us, and help the country to move forward. I should also like, Mr. Speaker, to say this, that the Government should have made some economies instead of blaming the regional government or somebody else. The Minister for Finance should have taken steps not to create more Ministries and I should like to say this—

An Hon. Member: You have been warned already that no mention should be made of new Ministries.

Mr. Arap Mol: If the hon. Members would like to speak I will give way so that they may say what they want.

Now, Mr. Speaker, all along some of the hon. Members who are now on the Government side and have seen what responsibility means, have stopped talking about things which in the past were very popular to the ordinary person. For example, increase in school fees. I think the hon. Member for Bondo, who is the Minister for Home Affairs, will be able to cope with this problem so as to satisfy most of the parents who send their children to school.

An Hon. Member: He has nothing to do with it.

Mr. Arap Mol: I know he has nothing to do with it, but it is no use for the Central Government to have increased fees knowing fully well that primary and secondary education is a regional responsibility. This matter should have been left to the regions. The Minister for Finance is smiling at me, Mr. Speaker, but he should have used his wisdom to see what is fair and just for those people in the country as a whole.

Further, my advice to those who are on both sides of the House, is that if we all intend to build Kenya into a nation, which is my intention, then we should be embarking on attracting investments, which the Member for Nairobi Doonholm mentioned, I appreciate the speech he made. Being an economist, of course, he could not have avoided making such a speech, but I would like to add to all who have Kenya at heart, to embark on such a scheme. I always fail to understand the wisdom of those who intend to see a creation of a bigger East Africa, which would help to increase the economy of these three territories when they are in fact wrecking such a plan. Kanu have always used the word

[Mr. Arap Moi]

"I would like to advise them that the stomach of the ordinary person needs to be satisfied. Theory will never help anybody. Theory has never been achieved in the world except through practical work.

Mr. Speaker, I think I still have a few minutes, but I should like to say one thing. If those who wish Kenya to march forward to independence, they should help the Prime Minister to build the nation. If some of the hon. Members opposite will embark on statements that will ruin the Government, then I shall not be surprised.

Mr. Speaker, Sir, as I have said before that the ages of the Opposition range from twenty-one to sixty-five. We are more mature. They have not seen any of us standing twice wanting to speak. Therefore, Mr. Speaker, my only warning to the Government is that they should not preach prosecution as some Members have suggested.

The Speaker (Mr. Slade): Order, order, you have no longer I am afraid, Mr. Moi.

Mr. Alexander: Mr. Speaker, Sir, anyone listening to the Minister's Budget Speech must have been deeply impressed with the pleasing and cosy manner in which he presented it. This is the manner that we most particularly need for our financial negotiations overseas, and we are fortunate to have it. As the Member for Doonholm this afternoon stated—and if I may say so, Mr. Speaker, one of the most pleasing speeches that have been uttered on the Floor of this House in the last few days—and as he so aptly reminded us that finding money overseas has tremendous difficulties, and I am sure the manner of our Minister is the right one to present our case in these difficult situations.

Mr. Speaker, it is most unfortunate, and distasteful at the moment that our country is moving into independence, that the Budget should include the taint of the Colonial period in the retrospective measures proposed for income tax. Mr. Speaker, this is a particularly uncivilized and objectionable habit of British Governments, and is out of keeping with the progressive and fair thinking of new Africa. I am told, Mr. Speaker, that this nauseating practice is a left-over from the days when the British used to bury people before they were, in fact, dead; because this in effect is what retrospective legislation does. It eats like white ants into individual or business assets which have been created after providing for known tax liabilities at the particular time, with very suffocating implications. Unfortunately, Mr. Speaker, anomalies are also invariably

created as the result of this habit of retrospective legislation. For example, in passing it would be helpful for the Minister to tell us just how the extra Sh. 2 of controlled company tax is to be adjusted between shareholders that have changed hands before this particular Budget, and after dividends have already been declared and paid.

In some cases, possibly, the individuals, who were shareholders at the time, are now elsewhere in the world. It looks once again, Mr. Speaker, very much like victimization of the person who has been loyal to Kenya, by buying out the goers' shares, and remaining in Kenya. Our Government has a wonderful and timely opportunity to declare now, in reply to this debate, that it will abandon, that it will not copy, the uncivilized and unethical methods of retrospective tax legislation imported into these territories by the British. We do not mind embracing what is good in British ways, but our dedication must be to throw out, to vomit, all from Britain that is heinous and repugnant to the new and clean Kenya that we are about to make.

Speaking of the British, it takes me to this question of compensation. Mr. Speaker, I do not want to deal with the admission of the principle of payments to our Civil Servants and those that have already gone, because that is something to which our Government and colleagues of mine on this side of the House, have committed themselves. Sufficient for me to say that I think it is an unfortunate decision. The theory of it is completely misplaced. It is the theory that on a change of employer the employee is entitled to compensation. What would happen if every time the Tusker Breweries, for example, made a takeover bid for another business, the other business in every instance was faced with claims for compensation from its employees, because their shareholdings have been bought out by another company? What I do challenge, and I challenge most vehemently is that we should admit any responsibility whatsoever for the payment of this colossal sum of a total of £36 million of which our responsibility is £22 million. The figures are, Mr. Speaker that, on average, it costs £7,800 to pay out each expatriate civil servant. The total is approximately £36 million of which our Government is responsible for £22 million. £22 million is almost three-quarters of our current recurrent Budget for a whole year; add to this the responsibility of non-designated officers, and the total comes to £25 million. This, Mr. Speaker, is £5 million a year over five years. I believe that this must be a major issue at the Independence Conference. It must be made a major issue with the British Government on the

[Mr. Alexander]

basis that we see no moral or legal responsibility as to why we should pay it. We were not the employers of these people, and if the British Government admits that there has been a change of employer, then it is for the British Government to accept the responsibility and pay this money in full. If I do nothing else at the Independence Conference, I would ask the Government to let me put my whole weight into this argument, because I do feel that this country cannot be responsible and cannot face up to this burden of these many millions to be found over the next few years.

Mr. Speaker, I can finish with this subject in about one minute; this particular part of it. It is no use either, Mr. Speaker, us accepting a situation where loans with, or without interest will satisfy us. The entire responsibility must be carried by the British Government and I ask our Government, when they answer to confirm, that they will make this a major issue at Independence Conference.

MOTION ON THE ADJOURNMENT

WOUNDING OF MASAI MORAN

The Speaker (Mr. Slade): It is now time for the interruption of ordinary business and I will now call on a Minister to move that the House do now adjourn.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that this House do now adjourn.

The Minister for Commerce and Industry (Dr. Kiano): seconded.

(Question proposed)

Mr. Olotigipi: Mr. Speaker, Sir, I wish to raise the matter of the shooting and wounding of a Masai Moran at Loitokitok at Kamana village leave centre, on 12th of this month.

Mr. Speaker, Sir, I feel very strongly when I rise to speak about this matter, that the police failed to do the job which they are supposed to do. It is well known that the police have got a motto on their helmets and if I am not mistaken it is *salus populi* (the safety of the people) which means to protect and not to oppress the public. In this particular case, however, the police have failed to carry this out when they shot down and wounded a Masai in the leave centre.

Mr. Speaker, Sir, on the 12th of this month about 130 two policemen came into a Masai crowd—in the Kajiado District, Loitokitok—

where all the poor people who lost their cattle during the drought were gathered to receive food provided by the Government. These policemen met two moran in the crowd and called them over and the two moran complied with the police order. They were told that the police wanted to discuss some matter about the holding of a *baraza*, the two moran agreed with the policeman. Later on, a third moran came along to collect the little postage which he gets from the Government; he came from a distance and he wanted to go back to see his *manyara* again. The policeman, by name Constable Mayu, told this Masai to go to him and the moran obeyed. The policeman said, "You must remove your sword." I think it is well known by everybody that the Masai traditionally wear their swords and they used to carry their spears. The moran said, "What have I done; am I an accused?" The policeman said, "You are not an accused, but I order you to remove your sword." The moran said, "What for? Please leave me alone, I am going to see my family; they are alone." The policeman replied that he had to remove his sword and the Masai moran said, "No, why should I remove it?" Then the policeman jumped at him and gave him a blow, the moran fled with one ear deaf and the policeman followed him and gave him another blow. When the policeman realized that he could not knock the moran down he pulled out his gun and told the Masai moran that he was going to shoot him. The Masai moran did not, however, remove his sword as ordered by the policeman, because he did not know why he should remove it, he was not a thief. As he did not remove his sword the policeman pointed the gun at him again and said, "I will shoot you." Then he did, in the chest, and it was only by chance that the bullet did not penetrate the lungs and the internal organs to kill the Masai on the spot. Then after the policeman had shot him the first time, the moran fell down and then the policeman again shot him in the back of the shoulder. Then, Mr. Speaker, he wanted to kill the moran with a third bullet, but women in the centre were crying all around him, "Please, oh please, do not kill him." The women then got hold of the policeman and he was surrounded and therefore could not shoot the third bullet. By chance there was an ambulance near by and this took this man to the Loitokitok Health Centre. The police inspector was told about the policeman and he rang the Kajiado police headquarters and a Police Air Wing aeroplane was ordered to collect the patient who is now very seriously ill in the King George VI Hospital.

Therefore, Mr. Speaker, I am very much pained and I think this is a matter of national

[Mr. Ole Obolipiti]

importance. I would like to ask the Government what steps it has taken against this man who really wanted to kill this innocent Masai, who was a law-abiding citizen of Kenya?

The second thing I want to know from the Government is, what mandate had the policemen to disarm an ordinary Masai moran? It is well known that these people always carry their traditional weapons. Some of the Government Members have been saying that the policeman did not want to kill him. We all know that the police in certain circumstances are there to protect themselves, but if that is so why did he not shoot him in the leg? He shot him in the chest. Also, why did he shoot a second bullet at the man?

Therefore, Mr. Speaker, I want to stress with these few words that I think this is a matter of national importance and I think that Members, not only from this side, but from both sides, must join me in this matter, and I should like to see steps taken by the Government to prosecute this man and have him brought before a court as soon as possible.

Mr. Ngala: Mr. Speaker, Sir, this is a very serious case; it is a case of aggression by a policeman against an ordinary innocent person, who, apparently, was saved by a group of women. This event occurred on the 12th June, even before the regional governments took over the police, which means that the Minister for Home Affairs is completely responsible to answer us. Now, the same Minister, Sir, happens to be the same Minister as that in charge of famine relief. In this area, the Loitokitok area, people are suffering from hunger and they are given famine relief. Is it the Minister's intention to give these people famine relief and then have them shot down like dogs? I want to know this. The Government should be ashamed of itself in treating its citizens that way. Mr. Speaker, Sir, I would like to know definitely whether the Minister is going to take action.

An Hon. Member: On a point of order, can the hon. Member substantiate?

The Speaker (Mr. Slade): That is not a point of order. Will you sit down. Order, order! It is not a point of order to get up and ask an hon. Member a question.

Mr. Ngala: Mr. Speaker, Sir, this action by this particular constable—

Mr. Kiprotich: On a point of order, is the Minister aware—

The Speaker (Mr. Slade): Mr. Kiprotich, I have just informed hon. Members that it is not a point of order to ask a question.

Mr. Ngala: The point is that this particular incident has scared hungry people so that they are unwilling to come to this particular centre to get famine relief. This is very serious because it means that a lot more people will stay away from the famine relief centres and die of hunger. I would like to know whether the Minister will take serious action and go round the Masai area—if possible himself—and assure them that it will be safe for them to go to the famine relief centres for their food. Thirdly, I would like to know what action is going to be taken now against Constable Nyoni who is responsible for this action, because I understand that the Constable is completely free now and is still doing the usual police duties. If this is true, Sir, I think the Minister has taken a serious matter very lightly indeed. The fourth point, Sir, is this, that we think here in the Opposition that unless the Minister gives a satisfactory reply today he should resign because he has failed completely in carrying out his duties.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I am surprised by the attitude that has been taken by the Opposition. But no wonder because the administration of law and order is the responsibility of the regions. The facts that I am going to place before the House this evening have been obtained from the Regional Police, which has been brought into being by the insistence of the Opposition. The facts that have been given to my Minister are not the facts as conveyed to the House by the Opposition. It is quite apparent that the Opposition is relying on rumours. No Member of the Opposition was present there and the facts that I am going to bring before the House are the authentic facts that we have obtained from the police, the regional contingent of the police.

First of all, my information is that this incident took place on the 11th June and not on the 12th. Secondly, the reasons for the police being there are entirely different from those that the Opposition has told this House. The village Kimana has a reputation for stock thefts and especially in the famine relief *bomas* in that region, 90 per cent of the recent stock thefts have taken place. In view of this, the police officer in charge of Loitokitok Police Station decided to send a police party to make general stock theft inquiries. This police party was asked to pay particular attention

[The Parliamentary Secretary to the Prime Minister's Office] to the famine relief *boma* because of the prevalence of stock thefts there. There were two police constables and one tribal policeman in the party. All these three policemen are Masai-speaking people, so there could be no question of misunderstandings. In the past, uniformed police visited this area and on the appearance of the police the moran disappeared and it was difficult to conduct inquiries. For that reason, on this occasion plain clothes policemen were sent. It was also known that the moran in that locality were dangerously truculent and so one of the police constables was given a rifle and some rounds of ammunition—(Opposition cries: To shoot people!)—not to shoot but to defend themselves. When they were at the *boma* they started collecting the moran so that they might make inquiries. Certain moran were wanted for questioning in connexion with past stock thefts, several of them were wanted, and for that reason the police party tried to get the moran together so that they might be questioned, not by the police alone but in the presence of the elders of the Masai tribe (Opposition cries: To shoot them!). If these elders of the Masai can tolerate unlawful killing then I cannot answer my hon. friend opposite.

Now one of the police constables and the tribal police at this juncture—

An Hon. Member: Mr. Speaker, Sir, the policeman was given a rifle to defend—

The Speaker (Mr. Slade): Sit down. That is not a point of order. A point of order is only, I repeat only, a point concerning the procedure of the House or the conduct of Members, nothing else. Hon. Members must not interrupt on a point of order that is not a point of order.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh):—noticed a group of three moran about ten yards away. Because the police were not in uniform the *askari* announced that they were policemen and asked the moran to accompany them to the place where the other moran were gathered—

An Opposition Member: One of these three morans had a *ringu* and a *simi* which are traditional weapons.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh):—but they were weapons nevertheless and they can do harm. This moran who was carrying the *ringu* and the *simi* was one called Kibarki ole Leseri;

he refused to come along with the police and started walking away. The police thought that he was one of the suspected men who was wanted in connexion with the questioning on the theft, and that is why he was running away. The *askari* asked him to lay down his arms and to accompany them to the place where the other moran were. The *askari* explained that he was wanted only for interrogation and that there was no question of confiscating his arms; he would be given them back. Repeated requests were made but he ignored all these requests and instead of coming along he uttered words of threat. The tribal police at this caught hold of his left arm but the moran broke loose. The tribal police then caught hold of his right arm which had the *ringu*. But Kibarki struggled, freed himself again and transferred the *ringu* to his left hand and drew the *simi* with his right hand. There was a struggle and in this struggle the police constable, unintentionally, I say, in the struggle—it does happen—struck the man on the face with his hand. There was no intention, he was struck only in the struggle. Kibarki raised his *simi* and said that if the police behaved that way—what they will get what they want, even if I am shot in the process." These were the words used by Kibarki. The policeman tried to persuade him not to fight and to lay down his arms and to accompany them, but he advanced on the police constable with his *simi* raised. The constable retreated slowly. In the process he took a clip of ammunition from his pocket and loaded the magazine. However, at this stage, he had not fed the cartridge into the breach. He pointed the rifle at Kibarki and warned him to stop. Kibarki, on the other hand, continued to advance on the constable. Temporarily, he transferred the *simi* into his other hand and rubbed his right hand on the ground to obtain a firmer grip on the *simi*. At this moment, the police thought that the attitude of the moran was one of a man ready to throw the *simi*. He was, at this moment, about five yards away. The constable, at this stage, worked the cartridge into the breach and fired two shots. Kibarki retreated one step, turned sideways and fell down. The police constable approached him and took the *simi* from him. The tribal police, at this, left for Loitokitok for assistance. First-aid was given to the injured Masai and he was removed.

Hon. Members: By whom?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Most probably by the police. I do not know. He was then removed to the King George VI Hospital by the Police Air Wing. They arrived at 6.30 p.m. on the

[The Parliamentary Secretary to the Prime Minister's Office] same day. After this, Kibarki recorded a brief statement with the police. In that he said that he was abused and was slapped by the police constable, and that the police constable shot at him when he raised his *simiti* to retaliate. This is the statement given by Kibarki. The police do not believe that this is a correct statement. There are independent witnesses to what happened, and the independent witnesses support the story of the police.

Now inquiries are continuing—

Hon. Opposition Members: By whom?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The Police inquiries are still continuing—

An Opposition Member: No!

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): I am stating a fact. However, the evidence which has been collected so far shows that the constable acted coolly and properly in the face of grave personal danger.

That is one aspect of the matter. The second aspect is, as I have stated briefly, that under the Constitution the day-to-day administration of law and order is within the jurisdiction of the regions. It has been put there at the insistence of the Opposition. The Mover today is a Kadu Member; he knows the position. He knows the position, or should know it.

Mr. Ngata: On a point of order, is the Member in order, Sir, in implying that in this House there is no Minister in charge of police to reply to this side of the House?

The Speaker (Mr. Slade): I do not think that that is strictly a point of order, but the very fact that the Ministry is answering, I think, does imply that they accept some part of the responsibility.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, there is a Minister here who looks after the police affairs and internal security, and that is the reason why I, on behalf of the Minister, am answering the Motion. This was really a matter for the Regional Assembly of the area. We have been told by the hon. Leader of the Opposition that at the date that this incident took place, the police had not been transferred to the regions. I do not know—

An Opposition Member: Why not?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): That may be so, I do not presume to know everything. Today the police and matters of day-to-day law and order are within the jurisdiction of the regions, but we are here to assist the Opposition and to enlighten them. From whatever facts have been communicated to us—and I have placed them before the House—by the regional contingent of the police, it is quite clear that the police acted under what was legally their duty. If the police had not acted in this way, then some other lives might have been lost. The *askari* himself might have been killed. Even a private individual who finds a person with a raised *simiti* advancing on him, even he would be forced to avert the danger. The police have a greater right and a duty to use force in such circumstances.

An Hon. Opposition Member: Why not prosecute?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The regions are in a position to prosecute, and they may find in the end that they have to prosecute someone else, not the police, because the police certainly are not at fault.

Mr. Ole Tips: Mr. Speaker, Sir, we have heard quite a lot of stuff from the hon. Member who has just spoken. What we demand from this side of the House is a judicial inquiry, not an inquiry by the police who shot this innocent man, not an inquiry by the police who are implicated in this. The Minister himself knows this. Mr. Speaker, we do not want an inquiry by the police. This was shot through suspicion by the police, and now the Minister tells us that the same police are investigating. We are not going to have this sort of thing. We want a judicial inquiry, falling that—we are fed up with the old stories cooked up by the imperialists trying to justify their cases.

The Speaker (Mr. Slade): Order, order, the half-hour has now expired.

ADJOURNMENT

The Speaker (Mr. Slade): Council is now adjourned until tomorrow, Wednesday, 24th Jan. at 2.30 p.m.

The House rose at Seven o'clock

Wednesday, 26th June, 1963

The House met at thirty minutes past Two o'clock.

(*The Speaker (Mr. Slade) in the Chair*)

PRAYERS

COMMUNICATION FROM THE CHAIR

CONSIDERED RULING ON VOTE ON ACCOUNT

The Speaker (Mr. Slade): Hon. Members, in Committee of Supply yesterday afternoon, when the Vote on Account was under consideration, Mr. Alexander raised an important point of order. He contended that the Estimates for which this Vote was required to provide appeared to include certain new services, and he drew attention to the usage of the House of Commons, which, as stated by Erskine-May, is that demands for grants on account are restricted to such services as have received the sanction of Parliament, though an exception is occasionally made to this rule in favour of trifling and non-contentious new services. Though Mr. Alexander used this only as an argument for reduction of the Aggregate Vote, and did not challenge the validity of the Motion, it did in fact raise an important principle and bring the validity of the whole Motion into question.

The Deputy Speaker, as Chairman of Committee, ruled that the Motion was in order, for reasons which he gave then and which I need not repeat today.

There is no appeal to the Speaker against any ruling by the Chairman of a Committee of the whole House, nor do I question the ruling in this case. Indeed, I agree with it, not only for the reasons given by the Chairman, but also because of the terms of Section 116 of the Constitution of Kenya. That Section empowers this House to pass a Vote on Account not exceeding half the total amount of the Annual Estimates, and contains no qualification or limitation whatsoever, whether by way of excluding new services or by reference to the possibility of restriction by Standing Orders. In such circumstances I am of the opinion that the power of this House to pass a Vote on Account, to the extent authorized by Section 116 of the Constitution, is absolute, and cannot be restricted by the usage of the House of Commons or even by express Standing Orders of this House.

Nevertheless the usage of the House of Commons in this matter of new services is based on the sound principle that a Vote on Account

should be used to preserve continuity of existing services, pending consideration of the Estimates of a new service. I would therefore respectfully suggest to the Government that whatever power they have under the Constitution to seek a Vote on Account should not normally be used for any Vote in the Estimates which covers a new service. I say "normally", because this year is exceptional; in that pressure of events has left no opportunity for this House to consider any individual Vote in the Estimates before the end of the old financial year, and so (as Mr. Alexander evidently recognized), some Vote on Account in respect of every Vote in the Estimates before the commencement of the new financial year became inevitable even if including new services. But in normal years, there will be time before the end of the new financial year, for full discussion of any Vote in the Estimates which involves a new service; and the Government will be showing due consideration to the Opposition by excluding any such Vote from the General Vote on Account, provided, of course, that the Opposition agrees to debate the particular Vote in question before the end of the old financial year.

PAPER LAID

The following Paper was laid on the Table:—
The Rating (Valuation of Crown and Authority Land) (Amendment) Rules, 1963.

(*By the Minister for Finance and Economic Planning (Mr. Gichuru) on behalf of the Minister for Local Government (Mr. Ayodo*)

NOTICES OF MOTIONS

LIMITATION OF DEBATE: PRIVATE MEMBERS' MOTIONS

The Minister for Home Affairs (Mr. Odiga): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT debate on Private Members' Motions should be limited in the following manner:—

(a) A maximum of two hours for Opposition and Government Members' Motion, but not more than thirty minutes for the Mover, thirty minutes for the Government Official responder and ten minutes for each other Member speaking and that fifteen minutes before the time for expiry the Mover be called upon to reply.

(b) A maximum of one and a half hours for "Free Lance" Motions (i.e. not sponsored by the Parties), with not more than thirty minutes for the Mover, twenty minutes for

[The Minister for Home Affairs]

the Government Official responder and ten minutes for each other Member speaking, and than ten minutes before the time for expiry the Mover be called upon to reply.

**COMMISSION OF INQUIRY: HOSPITAL SERVICES
REUNDANCY**

Mr. Ngala: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges Government to set up a Commission of Inquiry to investigate the redundancy of the hospital services within the Nairobi Area with a view to producing a more economic pattern of the services.

**MINISTRY FOR CO-OPERATIVE DEVELOPMENT:
SETTING UP OF**

Mr. Chepitikiri Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House requests the Government to consider setting up a separate Ministry of Co-operative Development so that this movement may, in all fields and in all aspects, proceed with the development of settlement schemes and farms run in societies instead of through individual farm management and private business.

Mr. Shikuku: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

**COMMISSION OF INQUIRY INTO INTIMIDATION OF
ABALUHIA**

THAT this House expresses its deep concern regarding the incidents of intimidation, maltreatment and violence against the Abaluhia people in the Rubwa Location, and calls upon the Government to take immediate action to remedy the situation and thereafter appoint an independent commission of inquiry to investigate the incidents and report thereon.

ESTABLISHMENT OF COUNTRY-WIDE INDUSTRIES

THAT this House being aware of the great unemployment throughout the country and the immediate need to provide employment calls upon the Government to establish industries not only in and around Kenya's capital, but throughout the country.

GOVERNMENT ACTION TO COMBAT SECESSIONISTS

Mr. Mutiso: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House believing in Pan-Africanism and in the territorial integrity of Kenya, which

is to form part of the East African Federation, takes a most serious view of the dangerous moves in certain areas calculated to encourage the dismemberment of Kenya and secessionist designs of a few ill-wishers, calls upon the newly formed African Government to take effective steps to stamp out these lawless and seditious activities of such secessionist groups.

**GOVERNMENT PARDON FOR FOREST DWELLERS
AND DETAINÉES**

Mr. Kamunde: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House being aware of the fact that some of our brothers, the freedom fighters, who for fear of punishment still live wandering about in forests or detained, urges the Government to declare a pardon of all these people in respect of any past offence against the law, to enable them not only to feel free to earn their living, but allow them enough time to prepare for independence celebrations.

QUESTION BY PRIVATE NOTICE**DELAY IN PUBLICATION OF STATEMENT FROM
MINISTERIAL DELEGATION**

The Speaker (Mr. Slade): Mr. Ngala, you have a question by private notice, have you not? You have given notice to the Minister concerned?

Mr. Ngala: I have, Sir. Mr. Speaker, Sir, I would like to raise a question in accordance with Standing Order 25, section (ii).

In view of the considerable expenses on the Ministerial Delegation to London on the date of Independence and in view of the importance of the matter, is the Prime Minister aware that the public cannot tolerate this delay on the statement relating to the trip? Will the Prime Minister explain the real reason for this delay?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, the Government decides who answers for the Government and we shall not be dictated to by the Opposition.

Mr. Speaker, Sir, the Government is well aware of the importance of the Delegation that visited London recently, and which came back yesterday. The Government is also equally aware of the genuine interest of the public and this House as to the outcome of the discussions in London between the Delegation and the Secretary of State. The Government does not intend to delay the

**[The Minister for Justice and Constitutional
Affairs]**

publication of the conclusions reached in London any longer than is absolutely necessary. Already, yesterday, the Government has made an announcement and asked the public—and I am glad to say that the newspapers have responded very well to this—to be patient and to restrain themselves from unnecessary speculation, and I hope that the Leader of the Opposition will take a responsible attitude in this matter and restrain himself from speculation.

As soon as the British Government and ourselves in Kenya are ready in the next few days, a White Paper will be presented simultaneously in the House of Commons and in this Parliament, which will lay out fully the conclusions of the discussions. As already stated, this delay is purely and simply due to certain procedural problems and not due to any deadlock between ourselves and the British Government, and I hope, Sir, that the House will be patient and restrain itself accordingly.

Mr. Ngala: Mr. Speaker, Sir, is the Minister influenced in his reply by the British Government decision, as was reported in the papers this morning?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I do not know which British Cabinet decision, and I do not know to what newspaper report the hon. Member is referring.

Mr. Ngala: Mr. Speaker, Sir, I am referring to the report as produced by the *East African Standard* this morning.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I still do not know what report. The newspaper has eight pages which are all full of reports and I do not know to which one he refers.

Mr. Ngala: Mr. Speaker, Sir, I am referring to the report as shown in the *East African Standard* this morning where it says that the British Government is putting off this because Mr. Butler is visiting Central Africa and it would not be appropriate, tactically, for the statement to be made.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I have already stated—and I hope the Leader of the Opposition is listening—the most important thing is that we must avoid speculation. In no report in the *East African Standard* this morning is it

stated that the British Government has issued a statement to the effect which the hon. Member is now inferring. We cannot work on the basis of hearsay and third-hand newspaper reports. This Government is not being influenced by any such speculation—second- and third-hand newspaper reports—we are dealing purely and simply with the agreement between us and the British Government.

Mr. Ngala: Arising from the reply, Sir, did the Minister attempt at any time during his stay in London to press the Colonial Secretary as to the need of publishing this immediately on his return here? I understand that the Colonial Secretary reluctantly put this business in "cold storage".

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, the hon. Member must be careful to state accurately the position. His understanding is, I understand, from some newspaper reports, not from the Secretary of State. There is no question whatsoever of putting the agreement between us and the British Government into "cold storage". The position has been very clearly stated by me; there is no "cold storage", it is summer in Britain, not winter.

Mr. Ngala: Arising from the reply, Sir, I know very well that it is summer in Britain, but I would like to know if the Minister is aware of the effect of putting this business into "cold storage"? Is the Minister trying to avoid a straight reply to the Opposition?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I will use very simple English. On returning to Kenya yesterday, I explained that, due to certain procedural difficulties, it was not possible to publish the conclusions of our discussions until we, on our part, have reported to our Government fully and Mr. Sandys, on his part, has reported fully to the British Government. As soon as each side has consulted their Governments, a White Paper will be prepared, both here and in Britain, and will be placed before the Houses of Parliament in Nairobi and in London. I have also said that there is no intention to delay the publication of these conclusions and, in fact, we are well aware of the anxiety and the interest of the public to know these conclusions. We will not delay this report any longer than is absolutely necessary.

Mr. Ngala: Arising from this reply, Sir, The Minister is talking of procedural difficulties and full reports to the Governments. Can we be told whether the Kenya Government has received a full report from the delegation, and

[Mr. Ngala]

secondly, can we be told what these procedural difficulties are as far as the British and the Kenya Governments are concerned?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The Kenya Cabinet has received a report; the hon. Member has been a Cabinet Minister in his time and he should know the procedure of all cabinets. I am afraid I do not have anything to add to my statement, nor do I wish to enlighten him as to my statement.

The Speaker (Mr. Slade): Mr. Ngala, I think that is all you are getting today.

MINISTERIAL STATEMENT

APPOINTMENT TO PUBLIC ACCOUNTS AND ESTIMATES COMMITTEES

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, with your permission, Sir, I would like to inform the House that at a meeting of the Sessional Committee held last evening the following Members were appointed to the Public Accounts Committee:—

The Hon. M. Muliro (*Chairman*).

The Hon. E. E. Khasakhalala.

The Hon. C. Kiprotich.

The Hon. R. S. Matano.

The Hon. D. T. arap Moi.

The Hon. W. C. Murgor.

The Hon. J. K. Ndile.

The Hon. C. B. Ngala-Abok.

The Hon. P. Ngel.

The Hon. J. Nyamweya.

The Hon. Okuto-Bala.

At the same meeting of the Sessional Committee the following Members were appointed to the Estimates Committee:—

The Minister for Finance and Economic Planning (*Chairman*).

The Hon. R. S. Alexander.

The Hon. P. Arceman.

The Hon. K. N. Gichoya.

The Hon. M. Jahazi.

The Hon. S. Kamunde.

The Hon. D. J. Kiamba.

The Hon. P. M. Mbatia.

The Hon. G. F. Oduya.

The Hon. A. J. Pandya.

—The Hon. A. Somo.

NOTICE OF MOTION ON THE ADJOURNMENT

DISTURBANCE AT A KADU TEA PARTY

I have allotted tomorrow evening, at the close of ordinary business, for that matter to be raised.

COMMITTEE OF WAYS AND MEANS

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(Resumption of debate interrupted on 25th June, 1963)

(Budget Debate)

Mr. Alexander: Mr. Speaker, there seems to have been some misunderstanding in this debate regarding the finances for medical and educational services, particularly so far as they apply to the supplying of these free in the terms of the expressed intentions of the party in power. It would be useful, I think, just for a few moments to see the full implication of these finances.

The regional governments are responsible for primary and secondary education and in the Estimates for 1963/64 they, the regional governments, will spend some £4½ million on education. It has been made abundantly clear that the regional governments will be unable to increase upon this amount in the year under review, or to increase proportionately on this amount in the foreseeable future. Therefore, Mr. Speaker, any amount in excess of this proportion of the total Budget must inevitably be supplied by the Central Government to the regional governments if the intention to provide free education is to be fulfilled. The size of primary education, therefore, is significant. In respect of primary education, it is estimated that in order to make this free throughout Kenya an additional £6 million per annum will be required to that already voted. To this, of course, could be added the amount to provide partially free or totally free secondary education. Therefore, it is quite clear, Mr. Speaker, that in providing this free education the regional governments can expect to look to the Central Government for additional grants in order to meet this £6 million extra per annum in the next few years, and when the Government reply to this point, what would be most interesting (because this is now getting to a factual exercise would be to try and establish how the Government believe that it would be able to find this extra £6 million to be handed over to the regional governments and when it would be likely to happen.

[Mr. Alexander]

Mr. Speaker, I now turn to the question of the Senate because we have a situation there where there is no Minister or Parliamentary Secretary in that august and dignified House to answer— I beg your pardon—there is a Parliamentary Secretary but there is no Minister and nobody who is in intimate touch with the deliberations of the Kenya Cabinet to answer for the Government in that House. This has resulted in what I do consider, Mr. Speaker, was a sorry spectacle of contradictions between the House of Representatives and the Senate regarding Government policy on the Kenya Broadcasting Corporation and the Press, only last week. The spokesman for the Government in the Senate said this; and I quote the words of Senator Lubembe: "that the Government nationalizes the broadcasting corporation . . . and the Press goes together with broadcasting. It is only when the Government is in charge of this that we will try and see that news of the problem is properly broadcasted." Within forty-eight hours or so we had a Ministerial statement which was most timely and we were deeply grateful to the Minister for uttering it in this House. He said: "The Corporation will stand, it will go on as it is today, the Press will be independent." Mr. Speaker, I merely quote this as an illustration of the difficult, the almost impossible position that we are going to run into if there is not at least one, and I would have thought possibly two Ministers in the Government drawn from the Senate. So I would ask the Prime Minister—although I notice he is not here today—I would ask his colleagues in the Cabinet to put this to him as a most sincere objective view for the good and amenity because the last thing we must have, Mr. Speaker, is contradictions from the Government in the Senate and this House. That would be unbearable.

Mr. Speaker, Sir, may I now turn to the question of the balance of payments. I have only had six or seven minutes. The most recent publication on the East African Balance of Payments position, compiled by the Statistical Department, shows a 12-months' deficit of £11½ million £11½ million, Mr. Speaker. This would have been as high as £20 million but for the spending locally of some £9 million on British Forces. This publication also records a reduction of some £4 million in the twelve months in our visible trade, that is a reduction in the excess of exports over net imports. Mr. Speaker, these factors and others like them are all warning lights, danger signals, to be watched seriously and urgently if we are ever to achieve the true independence of being a solvent

area in the world. I am glad that the Member for Doonholm is here listening to this part because he could make a valuable contribution with his wide knowledge of this particular point. Mr. Speaker, this debate is the right opportunity for our Government to tell us in precise terms, very precise terms, what it has in mind to deal with these very alarming financial and economic symptoms. May I offer one—I believe, constructive—suggestion to deal with the problem. It arises from the fact that there is no check over prices of goods and services supplied to local subsidiaries or branches of overseas businesses, particularly when the competitive element is absent or negligible. This enables the overseas principals to take their profits where it suits them best and in doing so to deny us of income tax while at the same time aggravating the net import factor in our balance of payments. I believe it is possible to introduce legislation to deal with this problem and I commend it to our Government for urgent consideration.

Mr. Speaker, there has been, very understandably, considerable emphasis on the need for Africanization. May I for a moment just dwell upon another aspect of the employment of people and I refer to the great wealth of experience and skill that is available to this country in the hands and in the minds of people who do not happen to be Africans, people in many instances whose whole life is dedicated to this country. There, I believe, a grave danger, unless our Government is prepared to make a statement on the subject very soon, of this skill and this experience being denied to this country. There are people I know personally and I believe many more that I do not know, who see that they can no longer make a great contribution in the public affairs of this country but they are prepared to make an overwhelming contribution in the business and in the statutory institutions of this country, and I believe, Mr. Speaker, that it would be timely for our Government to give them a word of encouragement.

In the Economic Survey for 1962, page 40, there is a table showing capital formation. This very clearly shows up the alarming decline in the figure of capital formation in the private sector in recent years. In fact, it has fallen by many millions, from the figures of 1958. Combined with this is the statement by the Minister in his Budget Speech that subsistence agriculture had taken up a big part of the national income. He said, and I quote: "The greater part of the increase in the gross domestic product resulted from higher output in the subsistence sector of the economy." Mr. Speaker, this is serious. It means that any

[Mr. Alexander] more subsistence agriculture will further aggravate this most damaging distortion. This, in terms of agriculture and in terms of this particular point, goes to the root of the resettlement schemes. When the Government replies, and the Minister will be here, which I am glad to see, I hope they will be able—that is the Minister for Resettlement—to bring us up to date on what is happening in the resettlement schemes, and that he can assure us that they will not aggravate this increase in subsistence agriculture to which the Minister has so rightly drawn our attention. The Member for Doonholm put his finger on this. He asked what constructive suggestions we have to make. Mr. Speaker, I think there is an obvious one, though it comes from a man who knows nothing about agriculture: It is that nowhere in the world, even on the most highly potential land, can you expect surpluses out of five, seven, ten- or fifteen-acre lots. It is this part of the scheme that has got to be changed very, very rapidly indeed. In fact, I think it would be wise for our policy to be directed to the holding of land being half an acre for residences on the one side, and nothing less than that, until you get up to one hundred acres. Then, I think we would be economically wise.

When the Minister replies, Mr. Speaker, could he bring us up to date on the negotiations regarding a central bank, particularly as to whether I see the Minister shaking his head, but these are vital matters. I am only asking him to give us an indication on what we might expect on one particular issue as to whether we are committing ourselves to a two-tier system of central banking, because if we are then indeed we are in for the most expensive and extravagant system of central banking. We are already told that our windfall of revenue from the Currency Board will be spent very largely in creating one central bank, but if we are going into a more expensive central bank then indeed we are in for a surprise as to its cost.

Mr. Speaker, last year we were told by the Minister in his Budget Speech that the theme would be income tax simplicity. In fact, his words were, and I quote: "The process of simplifying income tax legislation was started last year and must be continued." Could we be told exactly where this simplification is? Where does it come in in this Budget? Could the Minister, for example, explain how to deal with the anomalies between shareholders as a result of corporation tax being a charge against profits and not an appropriation thereof? Will the Minister in words that we, on this side, can understand, tell us exactly what the simplification is? I say again, as

I have said in other places, that this machine will collapse on us. It will collapse within the next two years, unless we do something about simplifying it. The Minister yesterday very eloquently told us about what we must not import from Britain: this is another idea we must not import from Britain, all this complexity to cope with.

Mr. Speaker, the Governor's Speech was not the typical speech from the Throne telling us of the Government's policy for the coming year. He took advantage, and took it very aptly and appropriately, to remind us of a few essentials, particularly as regarded democracy. I would ask the Government to take the very earliest opportunity available to them, and if possible before we adjourn, to bring before us a comprehensive statement of Government policy. The sort of statement that the Governor would have made, but was prevented from so doing by the circumstances at the moment. The country is looking forward, now, to a complete policy statement of what the Government intends to do in the next twelve months. This is the opportunity for that statement and I would urge the Government to take advantage of the opportunity. What is unfortunate, and I think unnecessary in the proceedings now, is to have waded at us election manifestoes from both sides of the House. What we want, now, is what our Government—and we have our Government now—intends to do. I congratulate the Minister again and I am very pleased to support his very able presentation of the Budget.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I am very pleased to be able to talk more generally on our views, both on this side, and that side of the House. Today, Mr. Speaker, I will not stand for attack, because I think that our policy to which we, both sides of the House, subscribe is almost achieved. Our policy at one time was to attack the imperialistic Government which was represented by this side of the House. But, today, Mr. Speaker, I am able to say that I am on the very side which I was attacking. If I can recall, Mr. Speaker, we began in 1957 together, when we were only a group of eight. We were just a small speck, on the opposite Bench. We were struggling with Members who are now making responsible statements on the opposite side. Our voice was a small drop in a very deep sea and we could not be heard. Now, Mr. Speaker, I am very pleased to see that nearly the whole House is represented generally by the same views. I will not actually take that the opposite views are different from ours, only that

[The Minister for Home Affairs] they are a few individuals trying to represent individual views.

Mr. Towett: On a point of order, Mr. Speaker, is the hon. Member relevant in his historical background to this debate?

The Speaker (Mr. Slade): Yes. I think so, there is a very wide field for this debate.

The Minister for Home Affairs (Mr. Odinga): Thank you very much, Mr. Speaker, and I would like the hon. Member who came in at the middle of the struggle to be patient and listen to me.

Now, Mr. Speaker, we did our best to struggle, and we had what we called unity, and I want to speak about unity today. Mr. Speaker, we must, in order to discuss the Budget, talk about general things. There will be a time when you will pin me down to talk about one thing. Now, I speak of unity. We have come to a stage in Kenya, and it has been a very long time, this struggle for unity. We want unity. Some people believe that in order to practise democracy there must be multi-parties. I am telling you, that even within one party you can still claim democracy. I must tell you, in no uncertain terms, that at one time we were only eight people. Eight people (then disagreed—I was their Chairman—and therefore I understand that. Some people were talking from one side, and others from the other, until, eventually, we respected the majority decision and majority views. That was the most democratic institution that ever happened in Kenya. Now Mr. Speaker, Sir, let me make it clear and try to instill into those people who have been misled, to believe in institutions. Even in a house or family, with your own wife you agree to disagree. That is still democracy. Democracy is practised in all walks of life. A man who does not practise democracy, even in public opinion, is not a democratic man. You must always listen to the majority views all over your country, in order to live amongst people happily. Therefore, when we come to what we call the highest form of democracy, it is not in this splinter groups—as are nowadays experienced in Kenya—who will be able to form a democracy. These splinter groups cannot be part of a democracy, tribalist groups cannot be part of a democracy. When somebody comes to Mombasa and claims that he is King of Mombasa, that is not a democracy. He is only being one of these splinter groups, like a herd of cattle with one bull who (inaudible). the other one

Mr. Ngala: On a point of order, is the Minister not too much astray?

The Speaker (Mr. Slade): Are you suggesting that it is not relevant to the debate?

Mr. Ngala: I thought the Minister, a little while ago, said that he was leading up to a point, but he seems to be wandering again.

The Speaker (Mr. Slade): Order, order. Mr. Ngala was raising a proper point of order; he was raising again the question raised by Mr. Towett, as to what is relevant to this debate. I have not really seen the relevancy very much, Mr. Odinga, and I do not believe it is going to help the debate very much, to go on arguing which party is in the right, and which party is in the wrong, or whether there should be two parties or one, as opposed to arguing the reasoning of Members of each party.

The Minister for Home Affairs (Mr. Odinga): Thank you, Mr. Speaker, I was trying to confine myself to some points regarding unity, because in this life we need unity if we are to build a Kenya nation and I think, Mr. Speaker, that with due respect to your ruling, I shall try to confine myself most particularly to the building up of the Kenya nation; and as such, Mr. Speaker, I would thank you very much for giving me this opportunity. I would say that our policy in Kenya, from this side particularly, is to build a Kenya nation which is based on democratic principles and not on splinter groups; and I must, at this juncture, Mr. Speaker, say that very soon we will be devising methods by which to deal with splinter groups.

Hon. Members: Threats!

The Minister for Home Affairs (Mr. Odinga): If anyone wants to take it as a threat I do not mind, but I have never in my life made threats. What I say I will always stick to and put into practice.

The Speaker (Mr. Slade): Have you half an hour or only the ordinary quarter of an hour?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, I should have half an hour.

Now, I would like to take this opportunity, Mr. Speaker, of coming to the progress in our Parliament. I do maintain that Kenya, at the present moment, needs, as always, to be pulled together. We should be sincere, and to try to look into our own problems here, and to see how actually we can solve our differences, because I believe that Kadu and Kano, are more or less

[The Minister for Home Affairs] one Party, but I have never been able to see which policy Kado is serving and why it is different from the one that Kanu is serving. If there are all these parties within the one Kenya nation, why should we be different? If we all believe in one Kenya nation, and we believe in the prosperity of Kenya as one nation, then why are we different? And now, Mr. Speaker, I think it is only a misconception which is probably come over some Members. I do think that if we can still be just one party our aim would be political freedom which we are now about to achieve completely probably this year or in the very near future; economic freedom to plan for ourselves what we want and the social integrity of the people of Kenya. Where are we different and why should we fight one another? It is only because some of our people have lately been misled to retire from a national struggle to a tribal struggle. Mr. Speaker, I am appealing to our people to let us pull together once again. We know that we may have made a mistake—anybody can make a mistake. I or any other man as different people all makes mistakes. I am not a saintly man nor could we take some person from the opposite side to be a saintly person. Never. But there is one thing, we belong in one boat, Kenya and within that one boat, Kenya, we have got all the facilities to agree and disagree, but I do not want us to go to the latter because of politics. In Great Britain how long did it take them to come to build a democracy? All people look to Great Britain and because Great Britain has various political parties, we must automatically have various parties in order to build a democracy. What we want is to have one nation; one people who are determined to build one political movement, who are strong enough to build one economic structure for the whole country, and also the social integrity of the whole country. Let us all put our minds together, our hearts together and everything that we represent together, and let us see that we build one Kenya nation, one strong economy in Kenya as well as denounce tribalism and all structures which form splinter groups, and let us make ourselves free to move together. Mr. Speaker, I will say that those people who want to build a mountain out of regionalism are misled and misled very badly indeed. Thank you, Mr. Speaker.

Mr. Jamal: Mr. Speaker, Sir, I would like to join the other hon. Members who have congratulated the Minister for Finance on his excellent Budget.

It was very heartening to hear the Minister for Broadcasting and Information assuring the Press

of its freedom, but I would like to point out here that the Press in turn has a great duty to play in building the new nation. The Press, here, must not indulge in any activity or reporting which will aggravate racial, tribal or communal feelings and animosities. Mr. Speaker, Sir, it is the practice of certain organizations in this country that while they concentrate on the reporting side in Nairobi their up-country reporters are biased and people should not allow any foreign-dominated Press to be anti-national as it has been in the past and we must sound a note of warning to the Press that while their freedom is guaranteed we would like to watch how they behave in this country and if the Press is not capable of maintaining up-to-date and intelligent reports up-country it is better that they do not report the news from those places at all.

Mr. Speaker, Sir, I would now like to say something about law and order. It is the intention of the Government as I understand, to protect life and property and to maintain law and order throughout the country, and I believe the time might come when we might have to introduce the same legislation as in Tanganyika to curb crime. The position in the outlying places and small trading centres is not so very satisfactory because police protection is inadequate. Unless the criminals are told that they are going to be severely dealt with we will not be able to curb the crime wave.

Mr. Speaker, I am coming to the field of organized marketing. In the past statutory marketing boards have been managed and operated solely for the benefit of the Europeans in this country and very little regard was paid to the interest of African producers and consumers and I would like to appeal to the Minister for Agriculture and request him to reorganize and re-constitute these marketing boards so that the boards re-orientate their policies for the benefit of African producers and consumers.

On the question of resettlement, Mr. Speaker, Sir, I very much welcome the announcement that land is to be acquired in the Muhoroni/Songhor area for sugar planting. I come from this area and I know the land very well. I would, therefore, like to convey to the Ministers for Agriculture and Resettlement that in assessing the value of this land due regard and attention should be paid to the fact that all the land is not suitable for the growing of sugar. Some of the areas are marginal and the potential settler should be warned of the expense and hard work that will be involved in it. In particular, as far as the price to the farmers is to be paid, it will have to be borne in mind

[Mr. Jamal] that the entire area is not very satisfactory for sugar-cane and the land should be valued as such.

Mr. Speaker, Sir, some of the Members have referred to the protection of industries and I was surprised to hear from one of the hon. Members on the opposite side saying that we must give no protection to the industries if the product is not equal to the product that we import from overseas. If we want to improve this country and if we want to encourage the industries we will have to put up with a lower quality of goods and even if our stuff is a little more expensive than what it would cost to import we must still continue to have some sort of restriction on the imported stuff. In particular, Mr. Speaker, as far as the soap-manufacturing industry is concerned we have a first-class soap-manufacturing industry in this country and I am told that if import restrictions are imposed some overseas people will be prepared to grant franchise to the local manufacturers. This no doubt would mean that our soap output will go up and our people will find more employment.

Mr. Speaker, Sir, unless and until the Government is going to make more money available for industrial projects very little progress can be made and I hope the Minister for Finance will see to it that industrial projects are sufficiently financed.

With this, Mr. Speaker, I would like to support.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I intervene in the debate at somewhat of a disadvantage, not having been present for a week and listened to all the speeches by hon. Members, but I do want in the first place to take this opportunity, like other Members, to congratulate the Minister for Finance, not only for an excellent speech, but also for a Budget that gives the country a better start than perhaps many of us had thought after the elections.

It is significant, I think, that it has been possible to balance the Budget this year when we started off with the possibility not only of a deficit but of a deficit of something of the order of £5 million. This fact, that we are able to balance the Budget this year should, I think, have been noted by hon. Members and the Minister for Finance encouraged by some of the measures that he has taken to achieve this. When we come to the next Budget, next year, we may have to face graver difficulties than perhaps this year, but I think the encouragement we have had in being able to balance the Budget this year, will help us to have that breathing space within which to

think over measures that should be taken for the coming year.

Very briefly, in my comments I note that Members on the opposite side have not taken the very important opportunity provided for this House, including themselves, to give this country the hope that it deserves, and to paint a better picture of the efforts and resolution of the people of this country out of their own resources and efforts to emerge from hopelessness to hope and prosperity in the future. The Opposition seems to have thought that all they need to do is to ask, where are the unemployment measures, where is the free education, and where are the free medical services? What the Opposition does not seem to understand is that the Government and the Party which now forms the Government told the country right through the election campaign, and even today, that the whole of Kenya, including the Opposition, with internal self-government and independence very soon to follow, have the opportunity to build out of their own efforts. To build that Kenya it is not enough for the Opposition merely to ask where are the unemployment measures, or where are the free medical services, or free education? What the Opposition should be asking is, in fact, where are the programmes for us to produce more, increase our productivity, expand our economy and, in fact, ensure for Kenya a growing economy?

It is not a question of begging for these things, it is not a question of overseas assistance that will ultimately resolve our various economic and social problems. They will have to be done here, and perhaps the hon. Specially Elected Member, Mr. Alexander, needs to tell some of his colleagues that they should be thinking more in terms of what Kenya can do to help itself, and that they should respond to the challenge which our Party and Government have posed to the country and come together with us, instead of indulging in cheap, negative, tribalistic politics all the time. We believe that there is a better future for Kenya, we believe that this Government is able to give Kenya that better future, but, what is more, we believe that all the peoples of this country, working co-operatively together, can develop much more rapidly and give the children of this country something better than many of us can achieve by merely opposing for the sake of opposition, regardless of the merits of what is put before them. We offer this as a challenge to the Opposition, that the time has come when negative criticism and opposition, negative tribalism, are not going to help this country and, what is more, are not going to help Members of the Opposition or some of the tribes they think they represent.

[The Minister for Justice and Constitutional Affairs]

What is going to help this country from now on is positive thinking, a sense of imagination and adventure in the new and exciting period which all of us are now entering through internal self-government and very soon through independence. We are accepting that challenge from this side of the House and we are not going to be in any way hindered by negative opposition. We shall move on to develop Kenya with the co-operation of those who want to come with us and in spite of the Opposition or those who are negative enough to remain behind in a tribalistic state, we are going to succeed.

That, Sir, is the message which we wish to give to the country. This country needs to be given a new face overseas, a new face among the investors in our own country and abroad. I believe that after the Elections, and with the evidence of the stability and sense of responsibility which prevailed during the Election campaign, no investor should be afraid of investing in this country and taking the normal business risks in this country. This is the message which we wish to see sent out to all those who have the money to invest, in our country and also abroad, and we want that message sent out not only by the Government but also by Members of the Opposition, for they must realize that lack of investment means poverty for the whole of Kenya, including themselves, and development means prosperity for everybody, including the Opposition. This Government, Mr. Speaker, is, in fact, a Government for the whole of Kenya and it governs even the Opposition benches. We would like, Sir, to hope that business men in our own country will also take note of the new atmosphere that has now been created since the Elections and the stable Government which Kenya now has, and that they too, when they speak to their business connections and friends overseas, will spread the message of the stability and the prospects that exist for them in this country. We are thinking and talking and planning for that wider market, the East African Federation, and I am particularly glad to note that Members of the Opposition accept the principle of an East African Federation, although as usual some of them negatively think of a Federation in which they will remain little princes in some provinces. I hope that when the time comes to decide on a Federation they will not merely be thinking of the "little prince that I am". They will think of the greater interests, the interests of the country and the interests of East Africa. This Government is a government which is supposed to move and move fast. We are not

going to delay in achieving those promises which we have made to the country and we are not going to accept any obstacles in the way to the achievement of those promises. We promised Federation, we have acted on Federation and, as usual, the Opposition is following suit. We promised rapid constitutional development and we have taken steps towards that development and I know again that the Opposition is following us in that venture too. We will lead as usual and we hope, Sir, that they will follow as usual, but, in doing so, keep in mind always that the interests and future of Kenya require co-operation. Co-operation is not a one-way traffic in which they can say, "We must have the rights of an Opposition," and always treat the rights of the rights of Kenya. The Opposition, by itself, has no rights, except those rights which are guaranteed to Kenya as a Nation and to its people, as the people of Kenya. It is in this spirit that we are proposing to the Opposition—and to the country—a challenge that must now be faced by all of us, not just as Members of the Government, but as benches or Members of the Opposition, but by the whole country. We have an opportunity now to demonstrate that we can build this country into the sort of country that we have always hoped to create out of our own efforts. There is no need to cry about colonialism or imperialism; if we fail the world will judge us by, our own efforts. If we do not succeed, we have no one to blame, but ourselves. The Minister for Finance has demonstrated this very ably: he has shown that this, in fact, can be done by being able to balance his Budget and by pointing out the ways by which we can move forward towards prosperity.

We call on the whole country, the businessmen, the workers, the farmers and the different tribes and political parties to join with us now in removing these various problems that face our country and in creating a prosperous nation. There is no need for threats, and we do not intend to indulge in threats. What we intend to do is to make sure that everybody understands his position. Sir, it is unfortunate that Members of the Opposition seem to be able to learn only when they are taught.

Mr. Speaker, Sir, very briefly, all I want to say to the House today is that Kenya has an opportunity and all of us should work together to exploit that new opportunity, the new atmosphere and a greater nation.

Mr. Towett: Mr. Speaker, Sir, I think the Minister for Finance has received a lot of

[Mr. Towett] congratulations already and I do not think he requires mine.

An Hon. Member: He can do without them.

Mr. Towett: Mr. Speaker, Sir, there is one thing which has appalled me very greatly. It seems that the standard of speeches from Members of this House is very disturbing. I do not mean that the new Members do not know what to do and what to say, but there is no spirit of seriousness and action in as far as the hon. Members of this House are concerned. We are supposed to be Members representing this country, and we must therefore take whatever we do with some sort of seriousness. We should know that we have a duty to the people of this country and I do not think that we are right in coming here and shouting, blaming one another and forgetting what we are here for. We, Sir, are legislators and we must act accordingly. Our people do not send us here to shout and point fingers at one another—Mr. Speaker, Sir, if that hon. Member cannot maintain his patience I will give way and give him room to stand and speak.

As I was saying, Sir, we must be serious and we must remember that we have been sent here by our people and we have got to keep that in our minds. These 124 hon. Members represent the 8 million people of this country, they cannot all come here and legislate, and we have got to have these people in our minds. They would all like to be here, they would all like to see that law is passed in this country for them, but they cannot all have the chance. But those of us that have that chance should use it with care, and we should consider the rights of our people. Mr. Speaker, Sir, hon. Members should remember that.

Mr. Speaker, Sir, I come to the one point which was raised by the Minister for Justice and Constitutional Affairs, who has just spoken. He only came from abroad two days ago.

An Hon. Member: Yesterday.

Mr. Towett: Yesterday, that is two days ago. If you know mathematics, Mr. Speaker, yesterday and today make two days.

Mr. Speaker, Sir, he said that he did not hear any reasonable and constructive ideas from this side of the House, yet he has not been here. Mr. Speaker, Sir, that hon. Member was away when hon. Members on this side of the House were speaking and I was appalled to hear the hon. Minister saying that there have been no contributions from this side of the House when he himself, has been away and absent from this

House. We must speak about what we know, we must witness what we have heard and for the hon. Minister for Justice and Constitutional Affairs to come here today and say that this side of the House has not contributed to the debate is really beyond my understanding, Mr. Speaker. He may be right but I doubt it.

Sir, coming to the memorable financial statement from the Minister for Finance, I have got no quarrel with it apart from a few points here and there. I will look at the paragraphs one at a time if time allows. In paragraph No. 4, Sir, he mentions, among other things, that there has been an increase due mainly to certain factors and he says that one of the factors arises in the prison population. This is one of the factors that has caused an increase in our estimate of expenditure of £37½ million. I would like to ask the Minister—or the Minister in charge of prisons—to tell us later on what causes the rise in the prison population. Are there too many crimes because of poverty? Are there too many crimes—as one hon. Member said—because of *Majimba*? Is this rise in the prison population because of starvation, or because of what? I would like whoever is concerned to tell us why there is this rise in the prison population, because this is a very serious aspect of this country's affairs. When we hear that they are going to spend a lot of money because of a rise in the prison population the whole country should be concerned. So, I want the Minister, when he replies, to tell us a few of the causes why there is this rise in the prison population.

Under paragraph No. 5, Sir, of the Minister's financial statement he says that he had already announced the increases in motor-cars and textiles and under paragraph 59 on page 15 in the *HANSHARD* he says here, Sir, I quote: "I might at this stage mention that the added imposition of these taxation measures, which did, I think, take the public by surprise, is in my view a logical step. The Government feels itself free to adjust rates of customs and excise duties when this seems most convenient and when in fact, in relation to the overall financial position and to the interests of the country's economy, it appears to be appropriate and necessary." I do not know whether the Minister will take the trouble to look into a rumour that went round five days before he announced this extra taxation. I want the Minister to take the trouble to find out whether this is true—I am not saying that there is some truth in it, but I am giving the Minister and his Ministry work to do—that many cars, both new and second-hand, were bought in those two days.

The Minister for Finance and Economic Planning (Mr. Gichuru): No.

Mr. Towett: I do not want the Minister to give an off-hand answer of "No", Sir. I am asking him to look into this rumour in order to make us feel that everything was O.K. and there were no leakages.

In paragraph No. 7, Sir, on duties on cosmetics which he says that when they were increased they did not bring in any remarkable revenue. I just wonder if the Minister was misled under this item. There are so many subjects to be taken into consideration before we know what happened and what went wrong with the receipts as far as cosmetics are concerned. At the time in question there were many people who use cosmetics on leave, though maybe they are back now. For the Minister to say that the increased prices of cosmetics did not bring in any noticeable income and therefore they should not increase the tax on this I think is not justifiable. I want the Minister to find out about it. Many people have gone away from Kenya, about 3,000 people have left the country, that may be one of the reasons that there was no revenue from this particular aspect.

Now, Sir, I am not speaking in general terms as the other hon. Members have done. What I am trying to do is to consider the Minister's paragraphs. Under paragraph No. 10 he says that the five-year plan settlement schemes have been expanded. "Very rapid progress is expected in 1963/64." I would like to ask the Minister to tell us how the negotiations have been carried on and what particular plans have been reached and what we are to expect in as far as the expenditure on this plan in 1963/64 is concerned. It is all very well to say: "However, with the recent conclusion of negotiations on the five-year settlement schemes, very rapid progress is expected in 1963/64." This is not enough, there is nothing in it. I would like him to give us another paragraph to make that a little clearer.

In paragraph 13, Sir, he says that "one of the main difficulties with which we are faced is the marketing of coffee and pyrethrum, the two crops on which our efforts in the African areas have been concentrated". Now, Sir, I would like to blame whatever Government was in power in the past and of course, to blame this Government because it is going to inherit the mistakes of their predecessors who make the mistake of concentrating their ideas and plans on coffee and pyrethrum in African areas. We are now told that the marketing of coffee and pyrethrum is going to be a problem. Well this is a lesson to all

of us. The past Governments probably believed that they could do no wrong and I do not want the present Government to be under the same delusion. We want to look at the whole set-up of our plans, we do not want to embark on schemes which in three years' time will prove fruitless and that will end up like pyrethrum has now. I am asking the present Government to look very carefully into any schemes that are to be embarked upon and make sure that all due care is taken.

Under paragraph 17, Sir, the Minister is talking about tourism and so on and says: "The number of visitors to Kenya was the highest ever recorded, and indications are that 1963/64 will be an even better year for our tourist industry." What exactly does this statement by the Minister mean? I would like him to tell us what these indications are. He just says that "the indications are that this will be an even better year for our tourist industry". I want to know from the Minister what these indications are? I would like him, when he replies, to tell me a few of these indications.

—To come to paragraph 22, Sir—the numbers are my own, his Ministry did not think of numbering the paragraphs—the Minister says: "To sum up there was no real increase in national income per head in 1962, and in fact there was probably a fall. . . . Now that, in my view, is very contradictory." There was no increase in the national income per head in 1962 and in fact. . . . "If he says "in fact" then there is no need for the word "probably". Either it is "in fact there was a fall" or "probably there was a fall".

The Speaker (Mr. Slade): Mr. I am sorry, Mr. Towett, but the red light is on.

Mr. Towett: Oh, Mr. Speaker, Sir, I have not even covered a quarter of what I wanted to say. Well, never mind, I will speak on the Heads of the Ministries, Sir. I am sorry about the red light, Sir.

Mr. Okwango: Mr. Speaker, Sir, I wish to join my friends on both sides of the House in congratulating the Minister for Finance for having prepared this year's Budget for us. It must be remembered, Sir, that this Budget was prepared during a time when Kenya was moving fast towards its historical time of elections. Therefore, Mr. Speaker, Sir, I wish again to congratulate the Minister for having done wonderful work in preparing this Budget.

Some Members on the opposite side seem to think that when you are on the Opposition side

[Mr. Okwango] your work is to oppose even if you have nothing to oppose. As a result, Mr. Speaker, Sir, some have been devoid of facts and reasons in their speeches. The Leader of the Opposition seemed to think that it was not wise for the Government to have created a Ministry of Pan-African Affairs. I must say that although the Leader of the Opposition has always been a person who would never think of Pan-Africanism—

QUORUM

Mr. Karuhki: On a point of order, Mr. Speaker, Sir, do we have a quorum in the House?

The Speaker (Mr. Slade): We must have twenty now according to the Standing Orders. No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): We have a quorum now. You may proceed Mr. Okwango.

(Resumption of debate)

Mr. Okwango: Thank you, Mr. Speaker. To us on this side of the House, the most important Ministry of all is this Ministry of Pan-African Affairs because we must think of a United States of Africa one day, and therefore the first step is to have a Ministry to lead us to that end.

Mr. Speaker, Sir, I do not need to repeat what my hon. friends have already said. I want to go straight to my constituency, Migori, which is 350 miles from Nairobi. This is a unique constituency because it is the only constituency in Kenya where you get all the minerals, including gold, copper and many other minerals, but because of the vast distance from Nairobi it is always forgotten in any development programme in this country, especially by the late Government, of which the Leader of the Opposition was almost the leader. Mr. Speaker, Sir, I must ask the Government to make sure that in any future programme this district is remembered.

With these few remarks, Mr. Speaker, I beg to support the Budget.

The Speaker (Mr. Slade): Does no other hon. Member wish to speak? Then I will call upon the Mover to reply.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, we are now almost at the end of our annual debate on the Financial Statement which by the nature of its subject is one of the most important debates of the parliamentary year. I have been encouraged greatly by the interest shown by so many hon. Members, such a number of whom are

new to our debates in this Chamber. I have been very interested, too, in the points and the suggestions which have been put forward from both sides of the House and I am most grateful for the appreciative comments which have been made about the Budget and about me personally.

Some hon. Members have spoken and it has been a long debate—though less than the Opposition wished to make it, but I am glad that the Government side was right in stating that eight days were a little more than enough for this debate. Mr. Speaker, Sir, I shall not in this reply attempt to answer every hon. Member individually. I propose to consider briefly some of the more important points which have been raised, most of them by more than one hon. Member. I hope that the Ministers when they present their Votes will be able to go into greater details on some of the points that have been raised in their particular Ministries. I think we all enjoyed the opening speech from the other side, the speech which was made by the hon. Leader of the Opposition, the Member for Kilifi South. It was forceful and likeable, and I wish, Mr. Speaker, that he was not wasting his considerable talents over there but was putting them to good use by joining us on this side of the House. I realize that as a result of the sensible decision of the electors last month we are fairly crowded on "this side of the House, but we shall be delighted to make room for the hon. Member if he feels like coming over.

Mr. Ngala: No thank you.

The Minister for Finance and Economic Planning (Mr. Gichuru): The hon. Member accused me of hitting the regions and local authorities hard financially, and forcing them to raise the graduated personal tax. The financial relationship between the Government on the one hand and the regions and the local authorities on the other will be complicated for some time to come, but a firm basis was laid by the Coalition Government of which the hon. gentleman was a prominent Member, through its adoption of the recommendations of the Fiscal Commission, and most of these recommendations are now enshrined in the Constitution and therefore if I fail to follow them I shall be accused of making attempts to break the Constitution. Therefore, I have followed on this basis in framing the Budget.

As was made clear in the Budget Speech, certain grants at present paid to local authorities will not continue to be paid in the second half of the 1963/64 financial year. Because from the 1st January, 1964, these authorities will have an alternative source of revenue in the graduated

[Minister for Finance and Economic Planning] personal tax. In making these proposals I have acted in accordance with the fiscal recommendations, approved by the previous Government. It was also made clear in my statement that the local authorities would probably find it necessary in 1964 to raise the graduated personal tax in accordance with the Fiscal Commission's recommendations. The Leader of the Opposition has sought to place the responsibility of this upon me alone. This is a good political tactic, but unfortunately it is not in accordance with the facts. And for the purpose of the record I emphasize that my proposals follow the decisions of the last Government in which the hon. gentleman fully shared.

I should like next to refer to the question of school fees. This has been raised by the hon. Leader of the Opposition and a number of other hon. Members, including the hon. Member for Machakos North, who has made it his habit not to attend the debate. And also the hon. Member for Butere and the hon. Member for Mombasa Island North. Answers have already been given from this side of the House to the charge that the Government, by raising school fees, is not acting in accordance with its election manifesto. One of my colleagues hit the answer here right on the head when he referred to this particular issue yesterday. There was great unbalance in the way that money was distributed, and he did quote figures that the amount that was allocated to an African child was much less than that allocated to a European child. And it is this imbalance that we are endeavouring to correct. Therefore there is no question of race at all. Naturally, as one who has spent the better part of his life as an educationalist, I regard this decision with great regret. But I have had to act in accordance with agreements reached by the Council of Ministers of the last Government. An agreement in which hon. Members on the other side played their full part. The decision was made to raise the fees when the hon. Member was in the Cabinet.

Mr. Ngala: No.

The Minister for Finance and Economic Planning (Mr. Gichuru): You were.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Deputy Speaker, Sir, if I am required to substantiate, I will get the per-

mission of His Excellency the Governor to quote the minutes of the Cabinet to prove that I am right.

I should like, however, to correct one point, which was indicated in the Budget Speech, that it was assumed that all school fees would be raised with effect from September of this year. In fact, this assumption relates only to fees for European boarding schools, and January, 1964, relates to all the rest.

The hon. Member for Butere suggested that the choice of an increase should have fallen upon luxuries, particularly he mentioned tobacco, alcohol and cinema seats, rather than on school fees. The tax on tobacco was considerably increased last year, he may very well remember, but perhaps he doesn't smoke and therefore he doesn't know. And if he does not drink he may remember that the tax was raised on drink, too. And here I might say that in working out the rise in the cost of tobacco I am very grateful for the great assistance that was offered to the Treasury by the East African Tobacco Company. You will remember that Crown Bird went up from Sh. 1 to Sh. 1/30, twenty Sportsman went up to Sh. 1/65, twenty Clipper to Sh. 2 and twenty Rex to Sh. 2/40 and a packet of imported Rex went up from Sh. 2/80 to Sh. 3/70. The final result of this matter has been most satisfactory and what I am trying to drive at is this, that there is a limit to the amount of tax that could be imposed on any of these luxuries. As I indicated in my Budget Speech the rise in prices for tobacco and so on did not result in much revenue, perhaps the rise was a little too much for those who drink and smoke. Therefore, we have to be very careful and that is why I have not thought it fit to tax cigarettes, alcohol and the cinema. I have been told by the cinema people that, maybe, as a result of the advent of television they are not making enough money, there is not enough attendance. There is an attendance fall off of about 2,000 in the first three months of this year. Therefore, to save that industry it is only wise that we should not tax them any more. At the moment I do not consider we should lower the tax, but certainly I intend keeping an eye on this industry because we should make every endeavour to keep this industry going as they do employ a lot of people and if we damage the industry it would put a lot of people out of work.

The hon. Member for Malindi in commenting on Arab matters considered that some hospitals should be established in locations. Well, the whole question of hospitals and schools, I should like to remind the hon. Member, particularly the new

[Minister for Finance and Economic Planning] Members, are subjects that fall under the jurisdiction of the regions, and therefore if they want to raise any question of more hospitals, more schools, they should not address them here, they should address them to the President of the Coast Region. The same hon. Member suggested that the Government should make electricity available everywhere. Again, this is a matter, which although I appreciate it very much, is a service which is provided by the East African Power and Lighting Company, and it depends entirely on commercial factors. If by taking electricity to Kakamega it doesn't pay then, of course, the company cannot be expected to take it there. Again, the Government cannot direct that the company should provide electricity to all these places. If the provision of electricity in any area is a profitable proposition the company, I am quite sure, will be only too pleased to provide it.

The Member for Machakos North asked about the Armed Forces, and inquired what the expenditure of £2,000,000 would cover. At the moment, of course, we have three battalions of the King's African Rifles in Kenya and appropriate supporting services and they are financed by the British Government.

The question of the future of our military forces will have to be considered in the context of our position both as an independent nation and as a member of the proposed East African Federation. I cannot, therefore, at this stage give the House any further information on this subject.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

I have no doubt that my hon. friend the Prime Minister will do so at the appropriate time.

The hon. Member for Mombasa Island North welcomed the increased protection of local industries which will come about through the Budget proposals, but emphasized that the Government must take care to ensure that under the cover of protection local industries do not lower qualities and increase prices to consumers. I have certainly made a note of his point. The hon. Member also suggested that increased duties would increase the cost of the building trade and further retard an already depressed industry. I would like to say in reply that the higher duty on tariff items, 47, 50, 91, 95 and 151, which affect the building trade should yield only about £51,000. I consider the effect of this will be minimal and will certainly not deter any genuine

construction, when it is considered that the earnings of those employed in this industry exceeded £2,000,000 in the distressed period of 1962, while the contribution of construction to the recorded monetary economy as shown in Table 1 of the 1963 Economic Survey was £6.7 million in 1962. Now, he did raise one other question, that is the question that I touched on in my Budget Speech. The question of trying to beat those sharks who are clever at speculating just before the Budget.

This is one of the factors that contributed to our failing to get all the money that we would have obtained from the hard liquor for example. I know one grocer who was telling me the other day that he is still selling the whisky that he bought before the budget last year, he is still selling it now. He had kept aside so much of it, and this is what I am trying to explain, and this is why I say this, and I would like to repeat, and emphasise—

Mr. Ngala: On a point of order. Is the Minister in order in using this word "Shut up"?

The Deputy Speaker (Mr. De Souza): I am afraid I did not hear him say it, I do not think it is in order, but I did not hear him say it.

The Minister for Finance and Economic Planning (Mr. Gichuru): I quote, Sir, "I might, at this stage mention that the early imposition of these taxation measures, that the motor cars, new cars and second-hand cars, which did, I think, catch the public by surprise, and here I would like to assure my hon. friend Mr. Towett, that this has been one of the best kept secrets in the history of the Treasury, there were no leakages at all, and there was no need to have any inquiries at all about it.

"The Government will feel itself free to adjust the rates of customs and excise duty, when this seems most convenient and when in fact, in relation to the overall financial position, or in the interest of the country's economy it appears appropriate and necessary."

There are so many people who do their very best to dodge tax, and if we can find a measure that will ensure, as that one did, that we shall get the maximum as that one did, that we shall get these taxation measures, I feel it is only right and fair that we should take it. If people were honest and sincere about paying taxes, of course, this kind of measure would not be necessary. But, we still see people selling whisky bought this year, before the budget. No wonder we never got all the money we expected to obtain from this source.

[Minister for Finance and Economic Planning]

The question of encouragement to investors has also been raised and I am very glad that this is so. Hon. Members will be aware that I have never lost any opportunity of expressing encouragement publicly to investors to come to our country. I think that the present Government, which commands an overall majority in the Chamber, can rightly be looked upon as a stable political force by investors, and I am naturally delighted by the welcome which the Press, not only here in Kenya, but in many parts of the world, have given to the Budget, in particular to the various measures in its design to attract investors to Kenya. As I made clear in the Budget, and wish to emphasize again, I regard as a most important factor the declaration that overseas investors will be able to remit their profits overseas, and repatriate their capital, if necessary.

I might mention here that the hon. Member for Embu did question the method that we were going to use to collect the graduated poll tax, and it might be appropriate that I mention this now. I said in my Budget Speech that we were going to do our very best to ask, or to make it legal for the employers, to assist in the collecting of graduated poll tax, so as to ensure that the local authorities will get the maximum from this tax.

The last subject on which I should like to comment is development. Several hon. Members complained that we were not doing enough, or that we were not doing it in the right place. It has been suggested that the Government has produced no crash programmes to meet our unemployment difficulties, and to deal first with the later point. I would say that the main hope of relieving unemployment must come from additional work created by a new flow of private investment from overseas, and the hope for such a revival can well be seen by hon. Members if they look at the economic survey for 1963. The secession of irresponsible speeches, and a revival of confidence would, I am convinced, increase the present level of capital formation in the very near future by 50 per cent. The relief of unemployment by a programme of public works presents difficulties. In the first place, finance for this purpose, except in the context of long-term development plans, is hard to obtain. Here I would like to emphasize that somebody did minimize the statement I made that it is not easy to obtain money. My hon. friend, Mr. Muliro, will remember that it took us one year to get money, which we are likely to get about this or perhaps next month, for Nairobi, for the building of the Saramu Dam. It has taken almost a year to get that, so you see it is not all that easy. In order to borrow money you

must also show that the project you have in mind is viable, and also you must give all the necessary details. Therefore, for programmes of this nature it would be very difficult to raise the necessary finance through borrowing.

The World Bank's Mission has drawn the Government's attention to the danger of diverting long-term projects with a limited-development plan and this is one of them. We have made it clear in Sessional Paper No. 1 that we shall deal with unemployment mainly in the context of our long-term development programme, although we shall be continuing with one or two short-term measures such as transit farms in the Rift Valley. Though our development budget provides over £14 million in the next financial year—and I should like to draw the attention of the hon. Member for Kajiado to this fact, since he indicated that no money has been provided for development—I would also encourage the new Members to read all the literature that is handed over to them because it has great bearing on these matters. He also said that nothing had been done for the Masai, and the point was also made by the hon. Member for Machakos North, that more development was needed in the dry areas of Kenya. I am glad to say that the Government agrees that more attention should be paid to these parts of the country, and I would refer hon. Members to paragraph 14 of Sessional Paper No. 1, which I hope the hon. Leader of the Opposition has had time to read, and in which it is made clear that the Government intends to pay greater attention to the lands of medium and low potential in the future in development programmes than they have received in the past.

In pursuit of this policy the Government is energetically examining the policy of the irrigation schemes in Turkana, and is inviting a survey team from the World Food and Agricultural Organization to advise on how this programme should best be tackled. In addition, some funds have been obtained from the Oxford Committee on Famine Relief for the construction of boreholes and for some small irrigation schemes in Turkana. Grazing and pasture management schemes are being investigated by the new range management section in the Ministry of Agriculture. In Maailand a similar development plan is being pursued, and more immediate assistance is being provided for large development in the game reserves. The hon. Members will know land consolidation is taking place around Ngong and Loitokitok. I hope the hon. Members know about this, and an intensive rise in agriculture, therefore, should result.

(The Debate continues)

[Minister for Finance and Economic Planning]

One criticism raised by the hon. Member for Machakos North related to the Yatta furrow, where, he said, I think, that water was flowing uselessly to the sea. No water has, in fact, flowed through this furrow, except at one end since 1961. The reason is that the local people were extremely careless; they did not look after it well. If the local people refuse to look after many things of this nature, instead of using them to their advantage—who they should blame is their local Member—who does nothing else but talk, while they themselves do not take sufficient care. They refused to pay grazing fees which would raise money for the upkeep of the furrow. I am glad, however, to inform the House that the Government is setting aside a small sum of money to assist in repairing this furrow, and that there has been an encouraging change of heart in the area towards co-operating with the Government in this scheme. It already has considerable potential, both for grazing and for irrigation, although the irrigation aspect of it is not simple and will require a great deal of money before we can start developing it.

The hon. Member also mentioned the question of an Uhuru stadium, which would have long-term value to sport. The Government has this possibility under very active consideration. There are, however, a number of major problems, including both the shortage of time available and the large number of spectators who will have to be accommodated. I am not at present, I am afraid, allowed to mention any facts, but you will find in the Estimates of Expenditure that we have put aside £400,000 towards the Uhuru celebrations which we hope will be this year.

Mr. Speaker, Sir, I have now mentioned quite a number of these important points in the debate, but I hope that the points raised, which I have not mentioned, and the detailed points referred to, will be amplified by the Ministers when they present their Votes.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Now I turn to some of the remarks that the hon. Specially Elected Member, Mr. Alexander—who, I understand, has been appointed my shadow—referred to. He referred to my manner of delivery of the Budget Speech as "pleasing" and "cozy". I should like to thank him for his compliments. He was not; however, in a very

cozy mood himself yesterday afternoon when referring to my income tax proposals. In fact, as a result of the epithets used I began to feel a bit queasy myself, not about my proposals though, but because of his eloquent, descriptive phrases. I am sorry that in this respect my Budget is regarded as uncivilized and tainted with that dirty word "colonialism". I feel that the Budgets of my two colleagues in Tanganyika and Uganda, who have made exactly the same proposals as mine, are similarly tainted, although they have both been breathing the pure free air for some while. In drawing up my Budget I have naturally had to consider tax that will be collected in the financial year to which it refers, and if this is an uncivilized practice I regret that it must continue, at least for the financial year 1963/64.

The hon. Member asked a specific question about the adjustment of an additional Sh. 2 on company tax with regard to shareholdings that changed hands before the Budget and after dividends had been paid. I am advised that no particular difficulties are anticipated, because, in general, there is a very close connexion between the shareholders and controlled companies and, of course, shareholders will be entitled to settle Sh. 2 against their own tax liability, so that no question of hardship really arises. The hon. gentleman also referred to the burden of compensation payments to be made by Kenya in respect of designated staff and non-designated staff with overseas privileges. I am grateful to him for having so forcefully brought this matter to our attention, although I find it difficult to agree with him that the assumption of power by the first democratically elected Government of Kenya is analogous to a take-over bid of a company. I personally think that the circumstances are very different. The burden is, however, a staggering one, particularly in our present difficult financial circumstances and at a time when we are going to take on many additional responsibilities. With the assistance of my colleagues, I am doing my best to shift the burden, as I made clear in my Budget Speech. Let us, at the same time, remember that this particular coin has two sides, and the total commitment mentioned by the hon. Member amounting to some £25 million spread over five years or so, would be marked by assistance. In 1963/64, in one year only, from the British Government by about £25 million. Compensation alone will not cost £25 million over five years. The sum, as at present calculated, is a little more than half of this amount over this period. Maybe the hon. Member has been referring to pension payment of staff, in addition, to compensation, and this does increase the Kenya bill to about the figure he mentioned.

[Minister for Finance and Economic Planning]

Again I did not refer back to the question he raised regarding medical and education services; because they are the responsibilities of the regions, and the money has been allocated in accordance with the Commission's report which we accepted as a Coalition Government and everything has been based on it, and therefore there is no question of crying now.

Mr. Alexander: The other 16 million for free education.

The Minister for Finance and Economic Planning (Mr. Gichuru): I never said I was going to spend 16 million for free education. We said, and many of our speakers here, my colleagues have also spoken, and we have said that what we have put in our manifesto are our objectives, and we definitely hope, if the trend of the economy continue as they are today, before long we shall be able to offer gradually easier fees for our schools, and also for medical services.

Now, I might also add that it is true to say that there has been a decline in the capital formation since the high point of £65.7 million was reached in 1956, we should not forget that in between we have had very bad years, floods and famine, but that the Member should, nevertheless, be pleased to see that we expect that the situation will improve, and that capital formation has risen in 1962. The rise seems to have been of the order of about £1.5 million, and this is a pointer of good things to come, and I would not think it could be described as a danger sign.

As regards the Corporation tax, of course, we had to act in this way because this is, again, a recommendation that was accepted by the Coalition Government, and we believe that the methods that we have adopted are working well towards simplification of the administration of this tax. The hon. Member did also seem to deplore the increase of 30 per cent in the subsistence section; of the gross domestic product in 1962, and used this as a lever to attack settlement schemes. Nothing could be more off the mark. The increases, as pointed out in the economic survey, were the national follow-up to the disastrous weather conditions in 1961 which reduced output in all the agricultural sectors of the country, and the increase was not related to the settlement schemes. I might perhaps, at this juncture, Mr. Speaker, Sir, add that I have a feeling that it is when statements of this nature are made that the would-be investors get definitely scared. I mean, the picture painted by this speech was such that if I were an investor I would never come anywhere near Kenya. After

all, we only charge income tax at Sh. 7/50 as compared with the rest of Africa, for example, and when such a gloomy picture is painted it gives very bad publicity for our country, and if one has the interests of one's country, at heart, surely one should be constructive rather than be so damaging, as has been the case yesterday and today. It is a great pity that this should happen.

Mr. Speaker, Sir, I should like to take the opportunity of correcting one point. Hon. Members will forgive me if I take this opportunity of rebutting the criticism of the Budget reported in our local Press in a speech which was made by the Chairman of the Finance Committee of the Nairobi Chamber of Commerce. He is alleged to have compared the apparent increase in expenditure, recorded in the general memorandum note to a recurrent estimate shown, as being just short of £2 million, with the estimate made by the Fiscal Commission that it should be possible to hold this increase to about £1.2 million. From that point he went on to sneer at our efforts at fulfilling the recommendations of the Economy Commission, and to declare that the latter's work had largely been "undone". I therefore feel that hon. Members would wish to be the first to learn the real facts of the matter. It is true that Chapter 13 of the Fiscal Commission's Report lists increases in the recurrent expenditure in 1963/64 which produced a total that is £1.197 million higher than public expenditure in 1962/63. It must, however, be borne in mind, as stressed by the Fiscal Commission, that the problem of meeting new commitments would always remain. In fact, certain items of additional expenditure have been underestimated by the Fiscal Commission, this is only natural when it had to produce this report about six months before the Budget had to be constructed. The expenditure on the independence celebrations was underestimated by £50,000; on diplomatic representation overseas by £40,000, and on passages by £60,000. Further, a fertilizer subsidy has been introduced on the recommendations of the International Bank of Reconstruction and Development and this will cost about £107,000 in 1963/64.

After taking all this into account, however, careful examination of the third paragraph of the general memorandum note will show that it includes two figures which represent an account increase and not a natural increase in expenditure. I refer to the £450,000 which is related to the transfer of aviation landing fees from Appropriations-in-Aid to Revenue, and to the £610,700 which is a transfer from the Development Vote to the Colony Exchequer. Fundamentally, both of these are merely reductions in sums Appropriated-in-Aid to the recurrent budget. It follows that the

[Minister for Finance and Economic Planning]

figure £1,946,328 which represents the apparent increase in expenditure for 1963/64 as compared with 1962/63, should be about £1,607,000 to arrive at the actual cash increase in expenditure which produces a figure of £886,000 or about £300,000 less than the sum envisaged in the Economy Commission Report.

The Government, Mr. Speaker, would not wish to lay claim to credit where it is not due, they must therefore refer you and the hon. Members of this House to my Budget Speech in which I mentioned that some additional expenditure on Ministers' and Parliamentary Secretaries' salaries would be necessary. I also expressed the thought that we might have to meet the costs of the army for the last three months of the financial year. Should that be so we could easily increase our expenditure to the figure predicted by the Fiscal Commission. At the same time, I must reiterate that it is quite untrue to suggest that the work of the Economy Commission has been largely undone, or that our increase in actual expenditure exceeds that estimated by the Fiscal Commission by the sum of £800,000. In the light of these remarks I think hon. Members will agree with me that the assessment of the Budget by the President of the Nairobi Chamber of Commerce and his view that it was very sound and statesmanlike is a much fairer estimate than that made by the Chairman of his Finance Committee.

Mr. Speaker, Sir, I beg to move.

(The question was put and carried.)

COMMUNICATION FROM THE CHAIR

RELEVANCY IN DEBATE

The Speaker (Mr. Slade): That is the end of the business on the Order Paper, but before adjourning the House I would like to make a very brief comment on the long debate which has just closed. It is customary in this House—and it was in the old Legislative Council—for the older

Members to congratulate every new Member on his maiden speech. We have the difficulty, however, that there are very few old Members of the former Council and very many new Members making their maiden speeches so that I, as the oldest occupant of this Chamber, though not now a Member of the House, should extend the congratulations to every hon. Member who made his maiden speech.

I do not pretend that every one was brilliant in substance, but I do say that every one of them had at least one virtue, whether it was sincerity or eloquence or sound argument. At the same time I would like to issue a warning. Throughout the debate hon. Members, not only in their maiden speeches, have indulged in a great deal of party recrimination, and the contention that they were either the majority or the minority, and so on. That argument is not conducive to any sound conclusions. However, that was excusable in a general debate of this kind and from hon. Members fresh from the heat of the elections, but it will not be allowed in further debates. After all, we are required to be relevant and to speak only what is relevant to the question in hand, and it is very rarely relevant to say simply that the other party is no use.

The function of this House, and I think I must remind you, is to produce and hear reasonable and responsible argument, that is what we are here for, and to arrive then at a reasonable conclusion. That must always be our object and hon. Members will not be allowed, in future, simply to indulge in scoring off each other in their debates, without contributing any relevant argument to the debate.

ADJOURNMENT

The House is now adjourned until tomorrow Thursday, 27th June, 1963 at 2.30 p.m.

The House rose at ten minutes past Five o'clock.

Thursday, 27th June, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—
Immigration Department Annual Report, 1962.
(By the Minister for Home Affairs (Mr. Odinga))

NOTICES OF MOTIONS

Mr. Ngeli: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

INQUIRY INTO MUTINY ON JUNIOR OFFICERS' COURSE

THAT this House urges Government at the earliest possible date to institute an inquiry into the circumstances and causes of the recent mutiny in the Junior Officers' Course at Kahawa and measures to prevent any recurrence of such incidents.

SALE OF NORTHERN PROVINCE CATTLE BY PUBLIC AUCTION

THAT this House is of the opinion that sales of cattle from the Northern Province should in future be by way of public auction and no longer by exclusive sale to ALMO.

MINISTERIAL STATEMENT

BUSINESS OF THE HOUSE

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, the Government has consulted the Leader of the Opposition and in view of the Budget Debate ending before the completion of the eight days provided it is agreed that Supply days should commence on Tuesday, 2nd July. The first four votes chosen by the Opposition—

Mr. Murgori: Mr. Speaker, it is in order for the Minister to read when we are unable to hear him?

The Minister of State, Prime Minister's Office (Mr. Murumbi): The first four votes chosen by the Opposition for consideration are, in order of priority:—

Vote 3—National Assembly.

Vote 19—Ministry of Information, Broadcasting and Tourism.

Vote 6A—Ministry of Home Affairs.

Vote 14—Ministry of Lands and Settlement.

For the moment the general pattern of business before the House will be:—

Supply Days—Tuesdays and Fridays.

Government Business—Wednesdays.

Private Members—Thursdays.

Tomorrow's business of the House will include Committee of Ways and Means on the revenue Motions, and the First Readings of a number of Bills, including the Finance, Betting Tax and Estate Duty and the Second Reading of the two Bills: the Second-hand Motor Vehicles Purchase Tax and Customs Tariff (Amendment) (No. 2) Bill.

The Speaker (Mr. Slade): I would remind hon. Members that Mr. Ngala is to raise a matter on the adjournment.

MOTION

LIMITATION OF DEBATE: PRIVATE MEMBERS' MOTIONS

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to move:—

THAT debate on Private Members' Motions should be limited in the following manner:—

(a) A maximum of two hours for Opposition Party and Government Members' Motions, with not more than thirty minutes for the Mover, thirty minutes for the Government official responder and ten minutes for each other Member speaking; and that fifteen minutes before the time for expiry the Mover be called upon to reply.

(b) A maximum of one and a half hours for "free-lance" Motions (i.e. not sponsored by the Parties), with not more than twenty minutes for the Mover, twenty minutes for the Government official responder and ten minutes for each other Member speaking, and that ten minutes before the time of expiry the Mover be called upon to reply.

Yesterday I gave notice of the Motion of the Limitation of Speeches in this House, and this limitation, the decision of the Sessional Committee that the Opposition Motion should be given a maximum of two hours, within which the Group Motion would be discussed; and the Mover himself should be given thirty minutes in which to move the Motion, and thirty minutes for the Government official responder and ten minutes for each other Member speaking, and that fifteen

[The Minister for Home Affairs] minutes before the time for expiry the Mover be called upon to reply, and that again, Mr. Speaker, for any other Motion of free-lance, a maximum of one and a half hours be given. That is when we mean the "free-lance" Motion means that it is not the Non-party Motion; with not more than thirty minutes for the Mover, twenty minutes for the Government official responder and ten minutes for each other Member speaking, and that ten minutes before the time of expiry the Mover be called upon to reply.

I think that this Motion, Mr. Speaker, is self-explanatory and I need not actually add any more and I do not think there will be any dispute about it. Therefore I beg to move the Motion, Mr. Speaker.

The Speaker (Mr. Slade): Mr. Odinga, with reference to the second part of your Motion, shown on the Order Paper, a maximum of one and a half hours for "free-lance" Motions with not more than twenty minutes for the Mover, I thought I heard you say thirty minutes.

The Minister for Home Affairs (Mr. Odinga): It is twenty minutes.

Mr. Towett: On a point of order, Mr. Speaker, is it not the procedure for the Mover of a Motion to read the whole Motion, rather than explain bits and pieces? Mr. Odinga did not read the whole Motion.

The Speaker (Mr. Slade): As a matter of order, when an hon. Member moves a Motion he must at some stage state the terms of the Motion. He can do it at any stage, either at the beginning or at the end or in the middle of his speech. Mr. Odinga did, at any rate in substance, give us what is on the Order Paper in the course of his speech. That is in order.

Mr. Towett: Mr. Speaker, Sir, in order to get this clear in my mind, as far as I am concerned Mr. Odinga has not moved this Motion. He has only given the substance of it, he has not actually moved it, has he?

The Speaker (Mr. Slade): He clearly purported to do so, and I think all hon. Members are aware of the precise terms of his Motion.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

Mr. Towett: Mr. Speaker, Sir, I rise to query the efficacy of the Sessional Committee on section

(b) of this Motion. I should have thought—I may be wrong—that the "free-lance" Motions should have been given more time because Party Motions are organized and the parties as such know exactly who are going to speak, and there is more co-ordination when it comes to Party Motions than when it comes to "Free Lance" Motions. If a Mover of a "Free Lance" Motion stands up and he does not know who is going to support him, I should have thought that such a Member should be given more time because he does not count on anybody's support and he has got to do a lot of on-the-side work himself and then come and speak exhaustively on the subject. I should have thought that such Movers of "free-lance" Motions should have had more time. I am not quarrelling with what is contained in section (a), but the Sessional Committee should have considered really that there may be hon. Members with Motions which are not sponsored by the parties, and I think that they require more time. Maybe the only person who is a Seconder is not willing to speak, but then he would require all the time to explain what he has in mind.

So, Mr. Speaker, Sir, I do not know what is likely to happen at this stage, but if the Sessional Committee is going to be supported by the whole world of the Government at the moment, it appears as if there will be no progress in what I am trying to advocate.

I consider that in future free-lance Motions should be given more time. I think this ought to have been the logic of the whole arrangement. I do not mind using the time for particular Motions because they are organized and the speakers are selected according to their knowledge of the particular subject in question.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order. Is not the hon. Member being unnecessarily repetitious?

The Speaker (Mr. Slade): I think you are getting back on to what you said before.

Mr. Towett: I agree with what the Minister says, Mr. Speaker, but he forgets that there are other hon. Members who are slow at understanding things, especially on the Government side because they have more Members and are therefore liable to more error. With those few points, Mr. Speaker, I hope the Sessional Committee in future considers this sufficient, a point.

Mr. J. M. Karuki: Mr. Speaker, according to a statement delivered by the Member on the Opposition side, I think—

Mr. Margov: On a point of order. Is the hon. Member, Mr. Speaker, right to refer to us as Members, and not hon. Members?

The Speaker (Mr. Slade): As all hon. Members know, they should refer to other hon. Members as hon. Members.

Mr. J. M. Karikiri: Mr. Speaker, I referred to him as an hon. Member and in that case there is no more query. May I continue?

Mr. Speaker, Sir, the hon. Member mentioned yesterday that we are all here to fight for our own people and not to come for a rest here. Our people are expecting us to do something for them. In that case I think that it is quite reasonable that the Committee decided on a maximum of one and a half hours for free-lance Motions; twenty minutes of which goes to the Mover and twenty minutes for the Government official respondent, and ten minutes for each other Member speaking; and that ten minutes before the expiry of the debate the Mover be called upon to reply. This is a limited time, but I quite agree with the Committee that if we are here to discuss what would be of benefit to our people, this is a reasonable time. In that case the Mover should try to express in detail what he wants to say in his own Motion, and the other hon. Members wishing to speak will also be ready, because of the limited time they are given to present in a nutshell the explanation that is required in that Motion. In that case, I see no reason why the hon. Member on the Opposition should say that the time is not adequate for any Member speaking.

Therefore, I quite support the Motion that this is a reasonable time for hon. Members.

The Minister for Home Affairs (Mr. Odings): Mr. Speaker, Sir, I do not think that there is much that I can say about the comments which have been made and I take it that the House has accepted the Motion, and therefore I beg to move that the Motion should be supported.

(The question was put and carried.)

CONSIDERED RULING

LIMITATION OF DEBATE: PRIVATE MEMBERS' MOTIONS

The Speaker (Mr. Slade): Before we come on to the remaining Orders of the Day, I would like to point out to hon. Members that we have on the Order Paper four Motions, Private Members' Motions, the first two of which are, I understand,

official Opposition Motions, and the second pair of which are free-lance Motions. Now, in accordance with the direction I gave the other day, there are going to be allowed two hours this afternoon for official Opposition Motions, and the remaining time for free-lance Motions; and so, starting from now, we shall have two hours for these first two Motions and then at ten minutes to five I shall interrupt any Motion in progress and proceed with the free-lance Motions.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, on a point of order. Does that mean that at the time of interruption there are one and a half hours left for Motion No. 7, or will the remaining time be divided between the two Motions?

The Speaker (Mr. Slade): That means that at the time of interruption there will be just over an hour and a half left for free-lance Motions in general, and the first Motion, that is Mr. Karikiri's, may take the whole hour and a half allowed by the Motion that has just been passed, then there will be only ten minutes left to start the other Motion. However, we will see whether his Motion lasts the full hour and a half.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, does that in fact mean that the second free-lance Motion will continue as a priority Motion today week?

The Speaker (Mr. Slade): If it is started this afternoon, and it is almost bound to be, then in the ordinary course it would take precedence in free lance the following Thursday, though it might be agreed by the Sessional Committee and the Mover otherwise.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. Do I understand you to say that the first two Opposition Motions must be concluded within two hours?

The Speaker (Mr. Slade): Not that they must be concluded, but that two hours' hence they will be interrupted if not concluded.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Regardless of which one is in progress.

The Speaker (Mr. Slade): Yes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): In other words, we are not limiting the first Motion to two hours?

The Speaker (Mr. Slade): Oh yes, it is limited to two hours anyhow, but even if it is concluded within two hours and we embark on the second Motion, that second Motion will be interrupted two hours hence.

MOTION

RELEASE OR TRIAL OF FOUR RESTRICTEES

Mr. Negi: Mr. Speaker, Sir, I beg to move the following Motion:—

That this House agrees that—

Mr. Wako Happi,

Mr. Alessio Kholkholle,

Hersi Haji Jama,

Mohamed Farah Musa,

who are being restricted under the Security Restriction Orders issued by the Minister for Defence, be released or brought to trial and be given a chance to defend themselves against the charges levelled against them.

Mr. Speaker, I have great respect for the present Government, but the present Government must also realize that they should not look as if they are taking dictation from a former Colonial Government. Here is a Government which is expected to be a real Government for the people. However, Mr. Speaker, Sir, it is one of the unfortunate inheritances taken up by the Government, and especially when this Government is full of prison graduates. People have been held for so many years, and yet these innocent people—they are innocent people as far as I am concerned because they have not been committed to a court—and therefore, Mr. Speaker, to have four people here—and, of course, there are many others—who are deprived of the love of their wives and they are being caged in a place that we do not know of. We understand that some of them are at Kajiado, others at Kwale. I do not actually understand the intentions of this Government. Why does it lock up innocent people? If we check up the historical background to find out what really happened, we shall see that some of us here made this—situation as it is in the Northern Frontier District, somewhere in the north of Kenya, where these people come from. In the old days some of the politicians uttered words which were really detrimental to the lives of these people to their followers. We may think that some of these here only have a few followers, Mr. Speaker, but these followers have feelings, especially when they see those whom they support treating people in the way that these four people are being treated. Here we have heard

nothing; they have been committed by a semi-Colonial Government, which, of course, we were told was a Coalition Government, but I knew that it was a Government run by an Imperialist Government—I was not a part of it because I was not a member of that Government—and it is a shame when we see these people who have been placed in exiled detention. We know the conditions of this exile. Mr. Speaker, without food, without meat—and they like meat I must say—without even the barest amenities of comfort, and yet some of the Government Ministers have no humanity, they just ask whether they are dead now. We are taking notice and it looks to us as if they share the same views that were shared by the Colonial Government. This very Party which is the Government has leaders who hold public meetings where they say that these people should go. Go where? They are part of this country, they are members of this country. We may call them Somali and yet this Government professes to support Pan-Africanism; the Government says that they must go out of Kenya and yet Somalia is part of Africa. Somalia is a part of Africa, and I challenge you in the name of Pan-Africanism. Speeches were made by these people, speeches which appealed to the emotions of their listeners, talking about sending these people back to their countries. These utterances were made by some of the responsible Members of this Government and now, Mr. Speaker, the Government, which professes to be the Government of the day, has the audacity to copy and to take orders from the Colonial Government or from a Colonial Government. These people have not been tried and I can see that some of the Government are annoyed because of the word "colonialism", but I can tell them that they have a bit of colonialism in their blood and they had better take it out now, perhaps they had better go to a doctor and have it removed.

Now, Mr. Speaker, here are innocent people who have not been tried. Yet they are suffering the trials of the dead, miles away from their homes, over 600 miles away. We do not know where they are, but the Government ought to tell us because we have been trying to find them. One important Parliamentary Secretary is shouting "Where are they? Where are they?" You see, he does not know the machinery of his Government. If these people had been brought to a court of justice at least the wives of these people would have been convinced that their husbands had done something which was wrong. But now they see a Government like this who tells them that this is an African Government, and they come like vultures and take their husbands away from them. I would like, Mr. Speaker, to

[Mr. Ngei] conclude by saying that the very Government that is sitting has been saying that they want to administer justice, that they are here to govern. Well, I want this Government to tell us why they are—

An Hon. Member: Do not shout.

Mr. Ngei: That is my nature, my friend; I have to shout because I have an inspiration. These people must be released or go to trial. The elections came, Mr. Speaker, and what happened? This Party was trying to win the confidence of the people, but they had to stand on a platform which was open, I, of course, do not share the political convictions of my friends the detainees, of seceding. No, that is not my way, but I am fighting for them as human beings. They have the right, just as we have, of being able to go into various hotels and night-clubs and so on. They, too, are entitled to freedom, they are fighting for what is right. They are Africans, they are fighting for Africa. As I stand here, Mr. Speaker, some of the Government are shouting "Tribalism", but even if we say that we are tribalists we can say that we are very tribalistic. It has been alleged—I do not want to say this, but I must—that we brought this Motion because we supported these people and the Government thinks that because we brought this Motion we were seeking something from them. I want to tell you that we are seeking nothing, but we are trying to point that these people must not be locked up just like dogs. The African Government—

The Speaker (Mr. Slade): Order, order. It is quite all right for hon. Members to get excited occasionally, but they must subside again equally quickly in order that the speeches are not unduly interrupted.

Mr. Ngei: Mr. Speaker, Sir, thank you very much for trying to caution some of the more irresponsible hon. Members.

Mr. Speaker, I would like to know, and we must be told, why the Government is perturbed by this Motion. This is a rumour that we have heard even outside, Mr. Speaker, and they should tell us what reasons they have for being perturbed. Some of these Members have had long years of imprisonment and long years of exile and yet they used to cry and say "release us"; they used to write long petitions and yet today they are the prisoners of these innocent people. This is a very clear speech, even to the deaf like some hon. Members. When a man locks up somebody else he does so because he fears him. What are the Government afraid of from these people, why

should they lock them up? I think this Government should release these people and talk to them and tell them that these ideologies that they are following are bad.

Mr. Speaker, I must say something about the closed district. It is this very Government which does not have a mandate to close the district which means that we cannot go there and tell these people what we feel about this sort of thing that has happened to them.

Therefore, Mr. Speaker, the blame also goes to this very Government because they have that district closed. We cannot have political meetings to explain to these people that we want peace and prosperity in Kenya. This very Government has not done anything, Mr. Speaker—

The Speaker (Mr. Slade): Mr. Ngei, I am afraid the subject of closed districts is not very relevant to the Motion which deals with the restriction of particular individuals. I can see your point, but your Motion does really deal purely with the restriction of individuals and the need to give them a fair trial. And I think we must stick to that.

Mr. Ngei: Thank you very much, Mr. Speaker. I will leave that subject alone.

An Hon. Member: Sit down.

Mr. Ngei: I am not going to sit down.

The Speaker (Mr. Slade): It is quite out of order for any hon. Member—when another Member is on his feet—to say "Sit down". Every Member is entitled to his hearing in accordance with the Rules of Procedure of this House.

Mr. Ngei: Thank you very much, Mr. Speaker. I want this Government, Mr. Speaker, to tell us the conditions of these people. They must tell us when they are bringing these people to trial. We should not live in fear and if this Government is going to live in fear then I will tell this Government—with great friendship—to resign.

Mr. Speaker, I am not being governed by anybody, I am only governed by those who vote for me. I think it is very clear that this Government has not got an answer to give me. I do not want to go into details because it is useless. The point is, Mr. Speaker, that I would like to be told why this Government—which professes to be the first African Government, which believes in Pan-Africanism, Federation and all the modern jargon—cannot release these people.

An Hon. Member: On a point of order, it is the hon. Member right in trying to say something that is not relevant to the Motion?

The Speaker (Mr. Slade): I do not see that these remarks by Mr. Ngei are irrelevant.

Mr. Ngei: Thank you, Mr. Speaker.

We are accused of tribalism, Mr. Speaker, and we can say hard things about some of the Members on the Government side. A lot of things have been said and we have been accused of being tribalists. But, Mr. Speaker, the Government are excluding tribalists because they are taking these poor innocent Somalis and locking them up without anything. I would like to make one point clear, Mr. Speaker. I am not here to speak for secession, I am only here to stand for the rights of individuals, especially when these people were committed to where they are by a Colonial Government. Of course, Mr. Speaker, I may say here—though it is not for me to rule—that I should put a Motion that we should not waste time on unnecessary unparliamentary language or abuses.

This is a serious thing and I was expecting the Government to be very serious, and, Mr. Speaker, they are taking it as a joke and they are laughing. We are not joking at all, this is a very serious thing. Some of these Members have not tasted the life in detention, they have been elected to this House but they have never tasted the lives of those in detention. The hon. Prime Minister knows about it pretty well and I think the Prime Minister is well qualified to answer these questions because he knows. The rest of the hon. Members, Mr. Speaker, are speaking from emotional points of view. They think we have just come here to play about, but I think the Prime Minister knows what I really mean. I can see him cringe as I mention the word "detention", because he feels it in his nerves. I wonder if the Prime Minister will continue to lock up other people especially as they were not locked up under the former Government.

Therefore, Mr. Speaker, I move my Motion by asking this House that these people should be brought to trial or they should be declared released without delay.

Mr. Maliro: Mr. Speaker, Sir, I beg to second the Motion. The Motion is self-explanatory. The question of locking up people without taking them to trial is a technique which the Imperialist Colonial Administration has been using in Kenya for the last sixty years. In our struggle for independence we have not struggled to exchange the machinery of aggression from white hands to black hands. The principle, Sir, is very vicious and it is a device which the Colonial Administrators have had in Kenya and throughout Colonial Africa. Some of the hon. Members in this House

have tasted the bitterness of being in detention camps. We have many Motions of protest in this House to demand that the Colonial Administration must free our people who have been detained without trial. Here we have an overwhelming majority African Government in power but they are still carrying out the policies of the Imperialists in this country.

Mr. Speaker, Sir, what we want to see is that the four people mentioned here—and many others who have not been mentioned—should be brought before the courts of law. They should be tried. The Government should not feel they are all powerful. In their own hearts of hearts they feel they have got the right and because they are convinced they think they are right. I think, Mr. Speaker, that it is only an insane person who can do and carry out an act when he knows it is wrong. Only an insane person can carry out a mission when he knows it is wrong. We are not saying that the Northern Frontier should secede to Somalia is right. We have to convince them not by locking them up, but we must persuade them that what we are looking for, the ideals of Pan-Africanism, transcends their tribal feelings and transcends the national feelings. Is that what we are looking for? Let us convince them by our arguments, by our reasons and not by locking them in Kwale or Malindi or Lamu. It is in the interest to see whether fit for Somalis or not. This is not a thing we are going to do, Mr. Speaker. What we want in struggling for our independence is an independence in which the people of Africa, the people of Kenya will feel free, and they must have access to the courts of law. Sir, the rule of law we want should be applied to the letter and not detention of people without trial. With these few words, Sir, I beg to move.

(Question proposed)

The Speaker (Mr. Slade): In this debate I remind hon. Members that each speaker, other than the official Government responder, has only ten minutes, and the amber light, the warning light, will go on three minutes before his time expires.

The Minister for Home Affairs (Mr. Odiga): Mr. Speaker, Sir, I have a few observations to put to the Mover of this Motion and also those who support him in representation, with great vigor, of this Motion. I commend him for the enthusiasm which he puts into the Motion and also I have noted several points which he has raised: he is very anxious about Pan-Africanism and he goes for African unity. It therefore

[The Minister for Home Affairs] surprises me that on the other hand the tries to support those people who are seditious and those people who go to great Africa..... (Inaudible.)

The Speaker (Mr. Slade): Mr. Odinga, you have thirty minutes as the official respondent?

The Minister for Home Affairs (Mr. Odinga): Yes, Sir, I should say that I quite agree with him that Somalia is part of Africa and that no one tries to contend that. You will agree that it is. At the same time he should know that we have never actually discriminated between any Somali who is living in Kenya. We want to look after them. The Government may deem that all people who live here will live happily and peacefully and the Government will not tolerate anybody who actually tries to employ methods of suppression and violence here in Kenya. Mr. Speaker, Sir, I also have this to say. That we are the Government, and as we have all the time said: we are going to be fair, we are not going to put anybody to unnecessary difficulty if we can help it. Let me say that it is surprising that the Opposition is blaming this Government for things which happened when the Leader of the Opposition was in power and it was the action of the Leader of the Opposition which was inadequate and we are here to put things right.

Mr. Muliro: On a point of order, does the hon. Member imply that it was the Leader of the Opposition who was in charge of affairs and not an equal partner in that with the present Prime Minister?

The Speaker (Mr. Slade): I do not think that we will go into that point of order, because I was going to say that this matter was quite irrelevant. Who was originally responsible is not the question, but what is going to be done now.

The Minister for Home Affairs (Mr. Odinga): I will confine myself to what I was going to say before, although I might have gone on, and if that has actually offended the Leader he must excuse me.

Let me say this in reply, Mr. Speaker. The restriction of persons is effected in accordance with legal power set out in legislation made under the Preservation of Public Security Ordinance, Chapter 57. Under section 68 of the Constitution of Kenya the administration of the Public Security Ordinance is assigned exclusively to the Governor of Kenya and section 68 (3) lays down that this is a subject on which he is now em-

powered to assign any of his responsibilities either to the Prime Minister or to any other Minister. So, the policy regarding restrictees is not one which the Government is competent to deal with or debate, but it is, of course, one in which the Government is intensely concerned and vitally interested. The Government is arranging to discuss the whole question in the very near future and it is hoped that he will be in a position to make a statement to the House at a later date and, therefore, Mr. Speaker, the Government cannot accept the Motion.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I rise to say just a few things to the Opposition. I wish to tell them this, that we are in internal self-government, we are not yet independent, and I want to tell them that the question of the Motion they have just moved is not the Motion that ought to be put to this Government. The hon. Member, the Minister for Home Affairs, has just said that the power of restricting persons is still in the hands of the Governor. This power is reserved and is held by the Governor. What this Government could do is to put the question to the Governor who has the power. They are asking me when I am going to release these people. If I had the power, or if the power was vested in me—

Mr. Murgor: Mr. Speaker, Sir, it is in order for the present Government to exist if they cannot answer this question, and can only the Government advise the Governor to release these people?

The Speaker (Mr. Slade): Mr. Murgor, that is a good point of order, which arises out of the reply received from the Government, on the question of the capacity of this House to discuss matters which rest finally in the hands of the Governor. I must make it clear that, just as in the past, so also in the present, this House is indeed free and to be encouraged to debate matters which are still reserved to the Governor. They must recognize on the other hand that where power is reserved to the Governor, the Government in this House have not the last word. It will be accepted, I think, that when matters of this kind are raised, the Government is being asked to make representations to the Governor on the lines proposed.

Mr. Ngala: On a point of order, Mr. Speaker, Sir, is the Prime Minister in order in saying that the Opposition should not have put this Motion to this Government in the House?

The Speaker (Mr. Slade): No, he is not quite correct in view of what I have said. Let me make the position clear. The Prime Minister was, I think, pointing out that the Opposition must not expect this Government to have the final decision in this particular matter. I do not think he meant that it should not be put to the Government as a matter to be represented to the Governor.

The Prime Minister (Mr. Kenyatta): Thank you, Mr. Speaker.

What I want to make clear is this. Maybe some of the Opposition Members do not understand what I said. All I said—and I say it again very clearly—is that we can make representations to the Governor, but we cannot decide because this matter is reserved to the Governor; he holds that power. All I can do is to make representations to him. Some hon. Members of the Opposition are under the illusion that this Government in its present stage of internal self-government can answer all the questions. What I can promise them is that when we are independent, completely independent—

Hon. Members: When?

The Prime Minister (Mr. Kenyatta): You will soon see; do not say "When?"

When we are completely independent we shall be able to do many things. All I can say is this: that some of the Opposition Members think they understand the trouble about restriction so well, but I can tell them that I am qualified to tell them about detention. Do not think that I like it; I do not like it. Some of them talk about Colonial Governments, some of them talk about imperialists or the colonialists more than I do. Mr. Speaker, the position we are in, some of you do not understand because if you did you would have kept your mouths shut.

The Speaker (Mr. Slade): Mr. Kenyatta, please remember to address the Chair.

The Prime Minister (Mr. Kenyatta): Thank you, Mr. Speaker. Sometimes I get hot because the hon. Members talk about detention and restriction without trial while they know very little about it. I can tell you that the Movers of the Motion do know something about it. They are saying that we have restricted these people they are talking about, but it is not the Government, this Government has no power of restriction, and all I can tell you is that we are going to make representation to the same Colonial Governor because he still holds that power.

Therefore, Mr. Speaker, what I must make clear is that if they think the African Government must

let loose all the troublemakers, we cannot do that. While I realize it is only fair that people should be brought to trial—it will do them good—the situation in the Northern Province or in the N.F.D. or in Somalia is such that the people who have been locked up or restricted have been the cause of many deaths in that area. These people, if you remember, in Isiolo and other places have caused several deaths. Whether this Government is fully independent or not, all I can tell you is that we are going to maintain law and order. No Government can rule without maintaining law and order, no matter what you say.

Mr. Speaker, we are anxious that these people should be brought to trial, this is only right, but the trouble is witnesses are being intimidated at present. We cannot find the witnesses to come to give evidence. You should know what these people who are detained have been doing. They have been getting money, Mr. Speaker, from Somalia, and they have been buying arms to kill people in the N.F.D. Therefore—

Mr. Shikuku: On a point of order, Mr. Speaker, Sir, could the Prime Minister substantiate what he has told us in this House, that lots and lots of money has come from Somalia to help these people who are now detained to kill other people? Could he substantiate this allegation?

The Speaker (Mr. Slade): Mr. Kenyatta, you can be required to state the evidence on which you base your allegations. Or, I would suggest, if it is a matter of Government confidence, you withdraw the allegation for the time being. It does not prevent you making it again at a later date.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, I think I am right in saying what I have just said because if it was not a matter of security reasons I would have told the hon. Members of the Opposition the whole truth, but for the sake of security I cannot disclose the information the hon. Members of the Opposition seek to be told.

The Speaker (Mr. Slade): In that case, Mr. Kenyatta, you should withdraw the allegation.

The Prime Minister (Mr. Kenyatta): Very well, Mr. Speaker. I withdraw the allegation.

The Speaker (Mr. Slade): I am afraid, Mr. Kenyatta, that your allotted time has run out; but if you have anything more to say, I will take the will of the House to see if they will agree to your continuing. Is there more that you wish to say? Is it the will of the House that Mr. Kenyatta has three more minutes?

Hon. Members: Hear, hear.

The Prime Minister (Mr. Kenyatta): Thank you, Mr. Speaker, as I was saying, these people who are locked up or who are restricted at the moment, are dangerous people at the moment to that particular section of the Northern Frontier District. But, in spite of that, I can promise the hon. Members of the Opposition that the Government is going to make representation to the Governor to see what can be done. That is all we can do. If we could have done more we would have done it. But, remember that our hands are still tied by the same colonial Government. When we get rid of the colonial Government we shall see how we can rule. I can promise you that it is not a question of sacking the Governor, we have got to work constitutionally. The Members of the Opposition have made an issue about the constitutional matters. It seems to me that they do not understand what "constitutionally" means. When they asked me to sack the Governor, I replied that we were going to act constitutionally, and that our time would come when we could make decisions without referring them to the Governor or any colonialist. You must be patient, and at the same time do not start any party war between Kanu and Kadu. Remember that this is an African Government, in which you have parts to play, and you can play a better part by—

An Hon. Member: By releasing people?

The Prime Minister (Mr. Kenyatta): Not by releasing people, but by making constructive criticism. But it must be constructive and not destructive.

Mr. Speaker, I am not going to say any more, but I think you will understand that we shall hold our promise that we shall put this matter before the Governor for consideration.

The Speaker (Mr. Slade): I would remind hon. Members of a very important rule, that hon. Members address the Chair and not each other across the Floor. Mr. Kenyatta, himself, gave the very reason for that; that hon. Members get somewhat heated. It is just at that moment that hon. Members must address the Chair.

Mr. De Souza: Mr. Speaker, Sir, with regard to your ruling. Is it necessary on every occasion that a Minister must state or disclose the source of information? If that is so, Sir, then it might arise that when the Minister would like to give the true reason for a particular action, he may also be compelled to disclose information which he would not in the interests of security want to

disclose or, alternatively he will recourse to reasons which are not true, or not, disclose reasons at all. I would like your ruling on this matter because I think it is very important. Can a Minister, who is in charge of security matters, be compelled either to withdraw an allegation which he made (which he thinks is correct), unless he discloses the source of information?

The Speaker (Mr. Slade): That is an important point of order. It does not arise at this moment, as we have passed it now so far as Mr. Kenyatta is concerned. I think, however, that I had better give a considered ruling on it as soon as I can.

Mr. Ngala: Mr. Speaker, Sir, I do not intend to get heated at all over this Motion, but I think the Mover of the Motion has put his facts very, very clearly and in a very reasonable manner to the Government. I would have thought that an African Government should have done better than the Minister for Home Affairs and the Prime Minister. Sir, the Government has completely rejected the Motion, according to the statement given by the Minister for Home Affairs. On the other hand, the Prime Minister has been more reasonable and he said that he would be prepared to put forward this question to the Governor now, this, Sir, shows that the Minister for Home Affairs is not working in collaboration with the Prime Minister.

The Minister for Home Affairs (Mr. Odiga): Mr. Speaker, I think if the speaker listened to my statement, I definitely said that the matter was in the Governor's power and that we shall refer it to him. That is what I said.

Mr. Ngala: Sir, that was not my point; my point was that the Government has not accepted the Motion, that is what I am challenging. The question is not whether the Minister said in his speech that there were powers reserved by the Governor. I know that quite well. But the question is that he has rejected the Motion on behalf of the Government. I would like to know whether it was the Prime Minister who was speaking for the Government or the Minister for Home Affairs. If the Government is sincere on this point, then the Government should consider the Mover's attitude and his genuine approach to this serious problem, which is being taken lightly by the Government. The Government should consider an amendment to the effect—clearly indicated by the Prime Minister—that they would be prepared to put it forward to His Excellency, the Governor. There is no amendment to that

[Mr. Ngala] effect at all, although the Prime Minister said that he would put it forward. The Opposition would like to see an amendment, to that effect, so that it can be rejected in the House.

I am not satisfied by two points made by the Minister for Home Affairs. He seems to say that the Government is determined to rule and oppress subversive violence. I entirely agree with him, and I would not have expected otherwise of the Government. But the point is, Sir, the Mover stated very clearly indeed, that these people should be taken to court, and be tried: They should be released or taken to court. The Minister for Home Affairs is not the judge. Why should he associate the question of violence with these people. All that the Opposition wants is that they should be taken to the court. That is their birthright. We are not asking, or saying, that we agree with violence or subversion; not at all, but we want these people to be taken to court and no satisfactory reply has been given, either by the Prime Minister or the Minister for Home Affairs, in this debate.

Sir, the second point mentioned by the Home Affairs Minister is that these people are just restricted by legal power. He says he has legal powers. Of course we expect the Government to act in accordance with legal powers, but the question is can you undo these legal powers in your authority as a Government? If you cannot, then show us that you can amend the Motion so as to put the matter to the Government. Sir, I very humbly submit that the Government has gone astray on this, and the Government has not really taken the matter as seriously as we would have expected a responsible Government to do. I think, when the Mover replies, that another Government Minister should stand up and see whether it is possible to get an amendment to this Motion. Sir, the Prime Minister has given a very, very weak excuse for not having taken initiative. He said that we are still at the stage of internal self-government, therefore we cannot take initiative. This is a completely useless excuse to give to this House. The Minister himself was released in 1961 when we had not even attained internal self-government. What happened then; initiative was taken. Why cannot the Prime Minister do the same now? He should be ashamed of himself, that is if he really has strong feelings regarding this issue.

Mr. Speaker, he said that trouble-makers should be dealt with. The charge for trouble-makers is not the Prime Minister, but the court and we would like to know from the Minister

for Justice, whether the Prime Minister or the Home Affairs Minister, are the judges who make the decisions. Mr. Speaker, Sir, I see that the Minister for Justice is very anxious to speak, so I will give him time.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, there has been a lot of hot air and emotion, and propaganda in the speeches made—Mr. Speaker, if Members of the Opposition are serious in trying to get something out of this Motion, they will be better served by keeping quiet and listening to what we intend to tell them in reply. If, on the other hand—

Mr. Murgott: On a point of order, Mr. Speaker, Sir, whose answer are we going to accept, in the House, as the Government answer? Is it the Prime Minister, the Minister for Home Affairs or the Minister for Justice? Why cannot one Minister answer—

The Speaker (Mr. Slade): Order, order. That is not a point of order. It is a matter for hon. Members to judge; if they cannot understand clearly the statements of the Government, who they should take most seriously on the Government side. Order, order. Normally, the Government puts forward one main spokesman on any particular Motion, and it has been made quite clear to us on this particular occasion that it was the Minister for Home Affairs.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I would like, Mr. Speaker, to treat this Motion more seriously than the Opposition tries to treat it. We are not amused by the detention, or imprisonment, of any person regardless of his tribe or the area from which he comes, and it is the intention of this Government to defend, as firmly as it can, the right of every individual as fairly and justly every time and on every occasion. It is equally, Sir, the responsibility of this Government to ensure that there is peace, law, order and security. It is, therefore, consistent that while speaking to preserve justice we should also take precautionary measures against the possibility of subversion, or any person or group of persons, acting against internal security. There is no question of imperialism or colonialism involved in this, and let us be frank about this. This Government, even though it is an African Government, even if it is a Kanu Government or a Kadu/A.P.P. Government—if the Alliance survives at all—regardless of what party forms the Government, there will be occasions now, and in the future, when actions similar to what have been done, will be done and I do not—Mr. Speaker, even those countries that the hon. gentle-

[The Minister for Justice and Constitutional Affairs]

men opposite want to refer to have got legislation, even similar to what we have here, and it is a question of the measure by which it is used, and whether precautions are taken to ensure that people are not unnecessarily victimized by them.

The hon. Mover of this Motion is, I understand, a film actor, and he gave us quite a good performance this afternoon. However, Sir, the future of this country is not going to be determined by film actors. The future of this country is not going to be determined by this address as though we were in a huge stadium; the future of this country is going to be determined by cool judgment of what is in the best interests of the country. Every Member in this House knows the troubles that are at present existing in the North-Eastern Region. For that reason alone there is not a single Member from that region sitting in this House today. There is not a Regional Assembly in that area today. This is a result of nothing but intimidation and fear. This intimidation and fear that has been created, and the principals responsible for it, happen to be these people and their associates. Are we being seriously asked that we should condone lawlessness, insecurity, death and murder because somebody thinks it is unjust to detain some people for a while. Mr. Speaker, Sir, the hon. Members opposite have got to decide now, either they grow up and become statesmen and co-operate in building a Kenya nation, or they indulge in cheap opposition, negative, tribalistic tactics, and end up exactly where they are for all the time. Mr. Speaker, the Prime Minister and the Minister for Home Affairs have already stated that to some extent this is legally a responsibility of the Government. However, we must add the reason why we reject the Motion. We reject the Motion also because we are convinced that it is the task of this Government to ensure that there is peace, law, order and security in every part of Kenya. So long as people are intimidated to the point where a grown-up man cannot go and register for a vote, or having registered cannot go and stand as a candidate or go and vote, something is wrong, and if the Opposition see this, they are blind and will remain blind for ever.

Mr. Towett: On a point of order, is the hon. Minister for Justice and Constitutional Affairs in order in saying that the Opposition should remain blind for ever?

The Speaker (Mr. Slade): I am afraid hon. Members must take very rough words sometimes from either side; but I do say also, as I said yes-

terday evening, that debates are not greatly advanced by much of that sort of conversation.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, what we would like to say to the House is that the Government will review the position of these people from time to time and, in the light of the security position and developments in the area, will determine whether or not it should release them, whether or not it should take them to court, or whatever action is necessary. There is no question about it. The challenge is here, and the Opposition can accept it now or reject it, the challenge is whether we are grown up enough to accept fully the responsibility of building a country. Right now, as we are speaking in this House, there are a few areas in the country where the security position is being endangered by the irresponsibility of some people, and it is going to be not only the responsibility of the Members on this side of the House, but equally the responsibility of that side of the House to ensure that the atmosphere created in which our people, regardless of their tribe, regardless of whether they belong to the party that forms the Government, are able to live in peace and respect law and order. Unless that responsibility is accepted by Members of the Opposition they will come here many times to complain against restrictions and even detentions.

Mr. Speaker, Sir, this Government is determined to give Kenya a new life, to give Kenya hope, to give Kenya growth and prosperity, and we are determined to do it. We have the mandate to do it, we are determined to do it, and we hope we can do it with the Opposition; we ask them to join in doing it, but if they do not accept their responsibility we can only say to them that our determination to govern and to give Kenya law and order is such that we will do it despite them.

Mr. Towett: Mr. Speaker, Sir, I do not have much to say except that—

The Speaker (Mr. Slade): Order, order. Hon. Members must not be told a third time that it is not in order to say "Sit down."

Mr. Towett: As I was saying, Sir, I do not have much to say, but after the speech by the Minister for Justice and Constitutional Affairs was delivered I felt that I should say something. There are three matters here. The matters of principle we are not objecting to. We accept that a country must be ruled and law and order must be kept, but the problem here which caused a lot of contradiction from the Government side—and that is why they are shouting all the time

[Mr. Towett]

"Sit down"—is that what we want it that these people should be taken to court. It is as simple as that. We have been told by the hon. Prime Minister that this is not a matter for these particular Members on the Government side to handle, it is a matter to be handled by the Governor in conjunction, I suppose, with the Prime Minister. Now we could accept an amendment, and think it would be fair, which goes to show that the Government is keen and willing to go and see the Governor and discuss the matter, but here we are told by the Minister of Justice something that is absolutely and completely irrelevant to the Motion. We are not discussing the principles of law and order, we accept these principles as given, but why should the Minister come into this Motion and discuss things which are not relevant and a waste of time when we have been told by the hon. Prime Minister that this is a matter which he is going to take up and consider with the Governor. That is all we required.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, I would like your ruling on whether you consider that what I said was full of irrelevancies and whether it was a waste of the time of the House.

The Speaker (Mr. Slade): What the Minister said was entirely relevant to the debate, and I would repeat that it is not proper to describe any Member's speech as a waste of time.

Mr. Towett: I am sorry for describing the speech of the hon. Minister for Justice as a waste of time, Sir, but I was talking about the matter of principle. I said that we accepted the principle and the principle was not an issue of this particular case. What we wanted was not the principle of law and order, we accept all that, but what we want is either that these people are released or that they are taken to court, that is all I said it was irrelevant because the principles were not at issue in this particular case. In any case I am very sorry that I referred to the speech of the hon. Minister as a waste of time.

The Speaker (Mr. Slade): On this point of order, since it does obviously trouble Mr. Towett quite sincerely whether what the Minister said was relevant or not, I think I should explain why I think it was irrelevant. This Motion raises the question of restriction of several people without trial. The Government have agreed to discuss with the Governor the particular merits of these cases, but the Minister of Justice was pointing out that for the preservation of law and order it

is sometimes necessary to restrict persons without trial, not by way of punishment, but for the security of the country. He is quite entitled to point that out as a principle, whether or not these particular individuals are proper cases for restriction.

Mr. Towett: Thank you very much, Mr. Speaker, for the elucidation on this matter. I, therefore, take it that the Minister for Justice is in agreement that these people should continue to be restricted, because taking it on principles it is necessary for the maintenance of law and order they should continue to be restricted and if he does maintain that way he differs very considerably from the Prime Minister's view that he is very much against restriction and detention. I would ask the Ministers of this Government to co-ordinate their views in future and not to come here with differing ideas which only go to show us that they have no form of co-ordination.

Now, Sir, I would, in conclusion, ask the hon. Prime Minister to ask one of his Ministers now to amend the Motion towards the Prime Minister's own view that this matter would be referred to the Governor. If this Motion, Sir, is rejected outright, as hinted by the Minister for Home Affairs, then we will know that this Government is not interested to help to bring these people to court and for them to be tried and to find out who is right and who is not. We have been told, Sir, that these people were the cause of many deaths in the N.F.D. We want these people to be tried and to find out whether they are right or not. We cannot accept what the Minister for Justice said, that some people could not vote, or register, in the N.F.D., and that it was these people who caused this. We want these four people to be taken to court and for it to be proved that they were responsible for stopping people from registering, and stopping those who had registered from voting and also that they were responsible for intimidating people who wanted to stand as candidates. We want all these things to be proved in a court. We are not in court today, but we have been told that these people are responsible for this intimidation. I think this is too much, Sir, so I would ask—I do not want to prolong a very long story—the Prime Minister to see whether he has a competent Minister who can amend this Motion in favour of the views I have expressed.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, arising out of Standing Order 70, Part 1, I would like to move that the Mover be now called upon to reply.

The Speaker (Mr. Slade): It is my responsibility to decide whether or not this is an abuse of procedure or unfair to hon. Members. We have not had very long on this Motion, but it is also a fairly confined subject and I am already beginning to hear quite a lot of repetition. So I think it is fair to leave it to the House to decide whether or not the Mover should now be called upon to reply. So I will put the question.

(The question was put and carried)

Mr. Fandayi: Mr. Speaker, Sir, this House has decided the time of two hours to the Motions and in view of this I would like to have your ruling, Sir, whether it is in order to invoke the Standing Order just mentioned by the Minister and to curtail the length of this debate which we have decided in this House.

The Speaker (Mr. Slade): Oh, yes. The effect of the Resolution in this House this afternoon was that there should be a maximum of two hours in which to debate. That power of limiting debates to a maximum is quite independent of the Standing Order which provides for closure by the will of the House, and there will be occasion when quite obviously the debate is exhausted.

Mr. Ngeli: Mr. Speaker, Sir, there is a question here which is: who is better than the other, a film actor or a twister? I believe that a film actor depends upon the film that he is acting in and I am acting in the film of "Release Them". The Prime Minister, Mr. Speaker, has really given some indication that he is prepared to do something about this Motion, but the Minister for Justice has not done anything. He has gone into his usual long jargon, borrowing this word and that word, and using this language which we know so well at the language of the Colonial Government. We know that he is an expert in that and, therefore, I am brushing him aside with his language and I think that he has answered nothing at all. We have been told that this is in the defence of justice, of peace, of prosperity. These are worn out words that we have heard from Colonial Governors, from the Colonial District Commissioners, and therefore we do not really take them very seriously, but I want to come to the very important thing which was mentioned by a very great friend of mine, the Minister for Home Affairs. He said that they did this to see that they cover the subversive activities. The Prime Minister repeated it and said also that these people had caused many deaths. The other thing he mentioned was intimidation. Well, who is the best judge to say whether there was any intimidation, that there were subversive activities? It is the court, not the Government. It is the court of law

that has the power to say whether there were subversive activities in an area, or not, and here is the Minister of Justice—who has not said anything—telling us that he has agreed to take up something that he did not do. He is not the one who committed these people to detention, he only came after these people had been detained, detained by a Colonial Government, and yet he is the very Minister who is prepared to carry the banner of an old Colonial Government.

The Prime Minister, who is an hon. Member and an old and respected man, has said that he has no confidence in this matter. He has no power. We are told every now and then in this House that the Government is ruling, they are the Government, they are ruling. Well, why do they not rule now and release these people? I think the opposite side does not know what power it does or does not have. The thing that I take seriously is the Prime Minister's speech, in which he almost says that he is going to investigate this affair. I am not taking in the usual threats of my old friend of the past, the Minister for Justice. He says that they are doing this in defence and they are doing this because they want to do this. We want someone like the Prime Minister—and I know he knows the pinch of detention camps—to tell us what is happening. The Minister for Justice does not know. We only know him on the front pages of the newspapers and sometimes on the middle pages. The Government should agree with an amendment in accordance with the Prime Minister's speech and he should be prepared to do something about it. We do not want these replies from the Government, we know that the Government say that this matter has been investigated. They say that this has been handed over to the police to see to, or the Parliamentary Secretary is doing one thing or the other, and it only takes up time while these people stay in detention.

Therefore, Mr. Speaker, I am asking the Government to agree that they move an amendment with regard to the Prime Minister's speech. He must look into the matter and recommend to the Governor that these people should be brought to trial or released.

I have got an observation about which I must say something. I am surprised at the Prime Minister—a man of long experience, especially in these things—that he is prepared to swallow the Colonial language of intimidation, "causes of many deaths and subversiveness, lawlessness", and so on. Was not the Prime Minister referred to at one time as the "Leader of Darkness and Death"? Is he really prepared to follow the old Colonial policies or is he prepared to judge this thing properly? The Prime Minister has been

[Mr. Ngeli]

of many things such as causes of death. I have worked with him and I know. I am therefore really surprised to hear these things. The Prime Minister is carrying on with these things instead of letting these innocent people go. As far as I know they have never been brought before a court of justice. I am asking the Prime Minister, Mr. Speaker, because I know he is a responsible man, and my friend, the Minister for Justice, to agree to an amendment that he is going to look into the matter. If the Government is going to make that statement, led by the Prime Minister, then I am prepared to be satisfied.

As to the long reply given by the Minister for Home Affairs—whom I regard as an honest man—I would like to say this, that it is up to this Government to see that they amend the law and take the powers from the Governor. I would also like to know, Mr. Speaker, whether powers were given to the Prime Minister to look into this.

Mr. Speaker, I do not mean to strain myself with a long useless speech. My main aim is to have these people released or brought before a court of law.

DIVISION

(The question was put and the House divided)

(The question was negatived by 64 votes to 35)

AYES: Messrs. Alexander, Babu, Barasa, Choge, Kamuren Kase, Kerich, Kerre, Khasakhal, Kiamba, Kioko, Masinde, Mulama, Muriro, Murgor, Muruli, Mutiso, G. M., Mutiso, M. M., Mwalwa, Mwamzandi, Ndile, Ngala, Ngeli, Omar, Pandya, Rumumban, Shikuku, soi, Somo, Tanti, Tipis, Too, Towett, Tuva, Tuwei.

NOES: Messrs. Agar, Anyieni, Bala, Balala, Boneti, Bonaya, Chanan Singh, Chepikiti, De Souza, Dingiria, Gachago, Gaciatta, Galaguta, Gichoya, Gichuru, Godana, E. D., Godana, G. Godia, Ithirai, Jahazi, Jamal, Kaggia, Kamau, Kamunde, Kariuki, G.-G., Kariuki, J. M., Kenyatta, Dr. Kiako, Messrs. Kiguga, Kiprotich, Komora Kubai, Lorema, Maisori-Iumbo, Makokha, Makonde, Malinda, Mbai Mbogoh, Mboya, McKenzie, Mohamed, Mongare, Moss, Mwanjambwa, Mwendwa, Ngala-Abok, Njeru, Nyaga, Nyamweya, Obok, Odedo-Jowi, Odedo-Sar, Odinga, Oduya, Okwanyo, Onamu, Osogo, Oyo, Sadalla, Theuri, Waiyaki, Wamubanya, Waritini.

CONSIDERED RULING

TIME FOR AND ORDER OF PRIVATE MEMBERS' MOTION

The Speaker (Mr. Slade): Mr. Ngala, there is only about a quarter of an hour left of the time that I allowed for Opposition Motions, but in view of the fact that we spent some time on a division, and I understand that one of the two other free-lance Motions has been withdrawn, I think it would be reasonable for me to allow you time to move your Motion, and then a formal Second, and propose the question, if you would like it at this stage.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. The Government would like very much, if the Opposition agrees, that if this Motion were moved today, it would be debated today as a whole. In view of various discussions that have taken place, it would not be very convenient to leave it over. If the Opposition agrees and the House agrees—

The Speaker (Mr. Slade): I can see that it might not be very fair to the Government, and otherwise it might be undesirable, to have only the Mover's speech, and then no more debate until next Thursday. In those circumstances, and in fairness to free-lance Members, I think I must say that we had better not embark on this Motion at all today.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I crave your indulgence, Mr. Speaker. Would your ruling stand if it was the wish of both, the Government and the Opposition that this Motion should not be taken today?

The Speaker (Mr. Slade): Yes, because it is Private Members' Day. One has to give rights to certain individual Members even to have their say sometime. They are reckoning on about an hour and a half once a week. This is their hour and a half that is coming on now.

Mr. Malloe: Mr. Speaker, Sir, would it be possible to suspend the free-lance Motions, so that they can have three hours next week instead of 1½ hours, in order to be able to debate this Motion today?

The Speaker (Mr. Slade): With the consent of the Movers of Order Nos. 7 and 8, we could proceed with Mr. Ngala's Motion now.

Mr. Alexander: I was going to say, Mr. Speaker, in what the Minister for Constitutional Affairs said, I detected that the Government are

[Mr. Alexander] anxious for this Motion to be taken today, and that they have the remedy in their own hands, as suggested by you, if they are prepared to pursue it.

The Speaker (Mr. Slade): Only with the consent of Mr. Kamunde and Mr. Oyoo.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The two hon. gentlemen who are on this side of the House, would be willing not to press their Motion for today.

The Speaker (Mr. Slade): I should like to hear it from their own mouths. Mr. Kamunde, do you not wish to press your Motion?

Mr. Kamunde: I wish to withdraw the Motion.

The Speaker (Mr. Slade): Mr. Oyoo, do you wish to hold yours over to another day?

Mr. Oyoo: I wish to do so, Mr. Speaker.

MOTION

EAST AFRICAN FEDERATION

Mr. Ngala: Mr. Speaker, Sir, I beg to move:—

THAT this House would welcome a Federation of East Africa this year, and urges the Government of Kenya to negotiate on the basis of creating one East African nation embracing, amongst other fundamental aspects, one Flag and one Prime Minister.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Mr. Deputy Speaker, Sir, first of all, I would like to thank the two hon. Members on the other side who have given way to this Motion. A very, very co-operative gesture, and it is very much appreciated by the Opposition, and I understand by the Front Bench of the Government.

First of all, Sir, I would like to refute very solemnly a stupid rumour that is going round very much related to this Motion, that Kadu is advocating secession. Kadu's policy, Sir, is to create one nation through *Majimbo*. The rumour originated through misreports and misrepresentations of my statement which I made at an A.P.P. rally that was held at Mombasa last Sunday when I said, Sir, that if the Kenya Government attempts to destroy the new Constitution unconstitutionally worse things would happen than the creation of a Coast state. I have nothing to regret in that. I added, Sir, that the Coast

peoples would not celebrate the Independence of Kenya if the new Constitution were destroyed. I do not know on what basis the reports, from that statement that I made, interpreted the support for secession, but of course, Sir, I didn't deem it right to refute the writing of the Press because I knew that I would have this opportunity to refute it here and put it on the record of the House.

Now, Mr. Deputy Speaker, Sir, I support and uphold the present Constitution but any unfair or unconstitutional methods that would be used to destroy it would inevitably give rise or cause demands for autonomy in the Kadu regions. But even autonomy is not secession.

Mr. Deputy Speaker, Sir, having put that out of my way and cleared this very stupid and irresponsible rumour which was repeated by some of the Members here, who know very little about meanings of words, I would like to go straight to the Motion.

I hope, Sir, that this Motion will not be taken just as politics between Kanu and Kadu, or between the Government and the Opposition. This Motion is more serious and is above the Government on that side and above the Opposition on this side. The intention of this Motion is genuine, to have a democratic Federation of East Africa as one country, under one Prime Minister and under one flag. Wait before you say fear, hear. We have always supported the East African Federation in theory, Sir, but I believe very strongly that the time has come now when a practical approach should be taken and discussions and negotiations on this matter should be carried out immediately. I note that the Government has started negotiations, but the purpose of this Motion is to speed up the Government in pursuing this very important work, and also the purpose of moving the Motion is to suggest very sincerely what is considered to be the pattern for the Federation of East Africa. Of course, I do not want a Confederation at all. I do not want people to create jobs for the boys just for the sake of creating jobs for the boys. I want to create a close Federation of East Africa which will be really meaningful to the ordinary person. We want a Federation which will be meaningful to the thirty million people which are concerned with this idea in East Africa, not a Federation only to achieve the creation of jobs for people, a few people who are anxious to have the posts. I would like, Mr. Deputy Speaker, Sir, to make it quite clear that my idea is a close Federation of East Africa, and I would fail in my duties if I did not point out the

[Mr. Ngala] problems which each territory has. Now, every-
one create who know their history, the so-called imperialistic boundaries that were created by the British, German and Portuguese sitting together some years ago, in the territories.

This is not news to us, but we have gone a stage further at the moment. In Uganda for example you find regional boundaries rightly described according to the wishes of the people. In Kenya, Sir, we have got our regions. It is very clear that in Uganda we have regions whether anybody likes it or not. You have the Buganda as a region. These people, Mr. Deputy Speaker, cannot determine the wishes of the Buganda people themselves. If the Buganda people want something they will have it. That is an internal business of the Buganda people. They have another region, Toro, and other regions that have their own powers. We now have regions in Kenya constitutionally signed by me and the Prime Minister over there on the other side. These regions are according to the wishes of the people themselves. We have given them power and significance, and a life of their own to legislate on matters effecting local conditions. It is no use interrupting me when you signed the document the other day.

Now, Sir, the internal constitution of a country is the business of that country and we acknowledge that as the right of the people to determine their own internal constitutions. Because they have every right to so determine their own constitution.

Turning to Tanganyika, we have a different pattern to theirs. They have a President, they have a constitution which gives the President a lot of power, he can do everything except turning a woman into a man or turning a man into a woman, but this is the choice of the people themselves and they should go ahead with their own internal constitution.

Mr. Deputy Speaker, Sir, I think I would like to give the House what I have in mind in creating this unity of East Africa. We must look into the internal constitutions of Kenya, Uganda and Tanganyika. As far as Kenya is concerned, I think that the regions must maintain their own powers and having worked on a federal type of constitution for the last ten months now I think we are small experts in the constitution matters. We can go further into the constitution of Kenya as far as the powers that are reserved to the central authority. If there are other powers that are now reserved to the central authority which should really be reserved to the

regions first this should be done and the remaining powers should be surrendered by the central authority to a central body of the Federation. This examination should be repeated as far as Uganda is concerned. If there are any powers in the central authority of Uganda which can be decentralized further this should be done, and whatever ultimate power remains with the Uganda Government this should be surrendered to the central authority of East Africa. For if the people of Tanganyika would like to remain as one region that is their own affair and the country as a whole can remain as one region, but the powers of the Government should also be surrendered to the one centre of East Africa.

This, Sir, may appear to be suggesting that we are doing away with Kenya or doing away with Uganda or Tanganyika. But I think in the interests of Pan-Africanism and in the interests of the very thing that we have advocated for a very long time it is worthwhile to do this.

Sir, since one hon. Member is shouting "*Majimbo*" I would like to remind him that the purpose for believing in this Regional Constitution is to make sure that the immediate local matters, that really matter to the people and are close to their hearts, are placed nearer to them so as to effect practical democracy. The hon. Member is a constitutional expert, and I would have thought he had been telling us this all the time.

Mr. Deputy Speaker, Sir, this would give us one unit known as East Africa. When we get this one unit with the central powers, then we would get one country under one Prime Minister, and under one flag, and all the problems of boundaries would be solved. It would, in fact, solve the problem of Somalia that we have today, and solve it completely. We would create one country which is strong, and which is economically viable. I believe in this, Sir, because we can create more economy, we can create wealth, and in an easier manner if we follow this path. If we had only a confederation it would mean that a committee of the Ministers of the different territories would disagree on matters of economic development. We have already seen it through experience, in industry. You find one Minister coming from another territory saying the industry of matches must be in his territory, another Minister says that the industry of cement must be in his territory, and there is a tribal war between the Ministers because of the nature of confederation. The solution to this, Mr. Deputy Speaker, Sir, is to create one country which will have those powers that properly belong to the central centre, as one country.

[Mr. Ngala]

Mr. Deputy Speaker, Sir, I hope the Government will not just take this with a bit of suspicion, or take it with the political Kadu/Kanu feeling. I hope that this move is entirely in line with the recent conference in Addis Ababa. If it is entirely in line with that, then we must, in East Africa, set an example to the rest of Africa.

I am not suggesting, Sir, that the powers of regions, and powers that matter to the people, as already referred to in their own internal constitutions should be interfered with. No! But I realize fully that East Africa has the responsibility of setting an example, even to West Africa, and to other African countries.

I think, if we did this, Sir, we would easily attract investment from overseas to East Africa. We would go ahead with our economic development in such a manner as to solve our unemployment problem. We would make our problem of defence lighter. I am aware that the Government will, in the negotiations that are coming, be dealing with the details. I have already written to the Prime Minister that the Opposition should have a chance to participate so that this wisdom can be shared with the Prime Minister. Of course, the Prime Minister has only verbally replied that I could expect a written answer. I am still waiting for it.

Now as far as our flag is concerned, I very much appreciate that this is a challenge. A challenge to those people who are enjoying sovereignty in Uganda or in Tanganyika. In the interests of Africa as a whole, I think the people will realize the need for changing their own present flags into one flag for the whole country, because this is in the interest of everybody. Of course, the regions can fly their own flags according to their particular local interests. They are regional states and are quite correct in doing this.

The other thing is tourism would be promoted to the extent that nobody has ever imagined before. Because there would not only be three Departments of Tourism, or four Departments of Tourism, but there would be one organization, one machinery, and those people who wish to come and visit our beautiful country would come and feel that they have a situation that is completely safe and smooth.

The benefits are very clear, the currency would be one and there would be no question of what the Minister for Finance called the Central Bank, there would just be the one, with the various departments brought into it. The improvement in the standard of living of our people would be

more easily attained. There are some people who believe propaganda, and I am surprised Mr. Speaker, Sir, that even the Members of this House tend to believe it. But for instance the propaganda that has been spread by some Members that regions require passports is completely untrue. People may move from one region to another without difficulty. There is propaganda being spread around that people will not be able to do this, which is another piece of complete distortion. We have agreed, and it is known even in countries like the United States of America, which have regions that are called states, fifty-three states, people can move freely from one part of the state to another, or from one different state to another. There is no question of passports. I would refer some of these Members to the traditions of these countries before they embark on fruitless propaganda.

This Government is afraid of the Opposition, so very afraid of the Opposition, and they are particularly afraid of me when I get up to speak.

Mr. Deputy Speaker, Sir, as I said before, I hope the Government will not treat this Motion lightly, nor miss my desire in moving this, and I hope the Government will not be biased. In the first moment the Government failed to move an amendment on a Motion which very obviously needed an amendment, but I hope in this Motion the Government will see the way to supporting this as a genuine feeling for Pan-Africanism, and will give an example to the rest of Africa. In the interests of creating a nation and creating wealth for East Africa I hope the Government will not get up in the usual manner of opposing *Majimbo*, as if we have to create one nation in East Africa the local interests must be put out of the way first, so that people can look ahead to create East Africa as a new nation.

Therefore, this would mean, Sir, that before we reach independence as Kenya, we would create the Federation of East Africa under one Prime Minister, and under one flag. Some people may say we want to taste independence as Kenya, but which is the more important, eight and a half million people or thirty million? It is the thirty million people and I am glad that the hon. Minister for Justice and Constitutional Affairs is in full agreement with me.

Mr. Speaker, Sir, therefore, I would like to finish by moving the Motion that we all welcome the Federation of East Africa this year, and urge the Government to continue as quickly as possible with the negotiations noting the pattern of federation that we want. We do not want confederation to create jobs for people, we want close federation so as to create a meaningful Federation that

409 Motion—

[Mr. Ngala]

will benefit the thirty million people in the country, and also to promote Pan-Africanism in a realistic manner. If the Government accepts this Motion I will for the first time see that we have a creative Government in Africa, and this part of Africa particularly.

[The Deputy Speaker (Mr. de Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

If they reject the Motion I will know that all they have been doing in the last three years is bluffing, and creating false confidences in the rest of Africa. Of course, if they reject on the basis of dislike for *Majimbo* I will also know that they are not interested in looking after the interests of that close to the people and their hearts, and the truth is in the rest being satisfied to attain a complete Federation of East Africa. Having said this, Sir, I think the Minister for Constitutional Affairs, having supported me throughout the speech, should get up quickly and support me.

Mr. Muliro: Mr. Speaker, Sir, I am very happy on this occasion to be seconding the Motion. With regard to the question of the East African Federation, in the month of July, 1961, when the two political parties in Kenya were discussing how best to move forward to Kenya's independence, I suggested at that time, to my hon. colleagues, in the then Kenya Legislature, that what should be the primary motive of the people of Kenya would be to look at the larger whole; that is to look forward to an East African Federation. I said at that time, "Let us set up the machinery for the independence of an East African Federal State". Some of my colleagues, and I am indeed very grateful that my friend the Minister for Constitutional Affairs and Justice, agrees with me at last that we should have a Federation. At that time my colleagues said, "Kenya people must have the right to test the celebration of Kenya's independence". I find the celebration of an independence for thirty million people in East Africa is far more important than the celebration of independence for eight million people.

The reason why I say so, Sir, is that as long as we can think of Kenya alone, Uganda alone, and Tanganyika alone, we are still as unfree as we were before the British left us.

Sir, in this we must all be united if we want to create a Genuine Federal Republic of East Africa. If we cannot do that and look to confederations we are going exactly the same way that the United Arab Republic of Colonel Nasser has gone. Colonel Nasser, Sir, wanted to put to-

gether various Arab States in the Middle East under the banner of the United Arab Republic. Today, now because of varying interests of those various Arab States it has fallen to bits. If Sir, we talk of the genuine spirit of Pan-Africanism, we have to accept as an inevitable consequence that National States like Tanganyika, Uganda, and Kenya have to give way to a bigger whole, and it is in these interests, Sir, that I am here today to support. The economic weakness which has plagued East Africa up to date, has been through the three ways of thinking, in Uganda, in Tanganyika and Kenya. Whenever hon. Members who have been privileged to be in the East African Common Services Organization have gone to meetings each Minister from Kenya, from Tanganyika and Uganda has gone with a bit of their territorial thinking, not a bit of the East African thinking. We have had enough of war all the time up to now, we cannot finalize anything because who ever goes there, Sir, has got the mind of his country, the interests of his country at heart and we have had breaks in the East African Common Services Organization, where we have been told that the people of Kenya have a monopoly of everything in this and that; that we do not want the Federal Capital to be in Kenya, in fact we do not want to be in the Federation. Sir, if our colleagues in Tanganyika and Uganda are willing to have a genuine East African Federation and not a confederation, I am prepared to say to hell with the capital, we can have it in Dar es Salaam, have it in Kisumu or anywhere for that matter is immaterial, what we want is to create a United East Africa.

That, Sir, is a commitment, which hon. Members in this House must be dedicated to, heart and soul without moving back. Sir, a federation we are looking for is not a federation whereby we shall have a federal Prime Minister at the top and a Federal Service of East Africa, and again another man called the Prime Minister of Uganda, Kenya and Tanganyika, those we do not want.

But, to create that, Sir, as the hon. Member made it very clear we must accept the traditions which are already established. I would hate to see a federation in which the kingdom of Uganda is going to be muffled at the foot of the establishing federal republic of East Africa. Sir, also the thing we must accept is that today we have some laws in Kenya, Uganda, Tanganyika and even Zanzibar, which might appear to be repugnant to some territories in Kenya, Tanganyika and Uganda; those laws must be re-examined as the Federal Colony adopts them to become the federal laws.

[Mr. Muliro]

This, Sir, I find is very important, I have said from time to time, Sir, that if East Africa wants to achieve the economic independence, if we want to break away from the aprons of the American and the British Imperialism, we must have a genuine political federation of the people of East Africa. A federation which we want to think out ourselves, not a federation imposed upon us by the Americans or the British thinking minds. Sir, this is what we on this side are committed to. This is what the genuine people in Uganda, Tanganyika and Zanzibar, and the whole of Africa for that matter, are committed to. What we want is to break away, to break the chains of colonialism; we do not want economic imperialism. We have suffered for quite a long time, we have suffered from political and economic exploitation of the Western world. We want today to unite ourselves from these vestiges of colonialism and move forward to genuine independence for our people and ourselves.

Mr. Speaker, Sir, I beg to second.

(Question proposed)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, during the Elections Kanu told the whole country that it was our intention to surrender the sovereignty of Kenya to a bigger East African Federation. On the basis of this pledge to the electorate, Kanu was elected with an overwhelming majority throughout the country. Having made that promise and pledge, we have not wasted time in trying to carry it out. On the very day that this Government was sworn in on the 1st June three Ministers of this Government flew to Tanganyika precisely to tell them that now that we had formed the Government we were ready to move ahead and to form an East African Federation. We, on this side of the House, do not have to be convinced of the values of federation—economic, social or political—because it has been our doctrine, it lives in our bones.

I am glad to note this afternoon that Members of the Opposition have come to tell the world that they want Federation. The Opposition has also told the world that they do not want Federation, effective Federation. The difference between us is that we all say we want Federation, the Opposition believes in words, we believe in actions and the implementing of our pledges. This is an issue on which it is not my intention to try and score debating points, but it is important that this House and the country should understand the basic issues involved, because as we speak here, from the point of view of the Kenya

Government, action has been taken to form the Federation and measures are already underway to speed up the East African Federation.

The Motion has, of course, been inspired by the announcement by the Government that Federation was already being sought.

Before, Sir, I deal with the individual questions which arise from the speeches made on the opposite side, I should like to take this opportunity today of placing on record the appreciation of the Kenya Government and the people of Kenya to Dr. Julius Nyerere, the President of Tanganyika, and Mr. Obote, the Prime Minister of Uganda, for their wisdom and foresight in accepting, pledging and dedicating themselves to the unity of East Africa long before the Opposition had recognized that fact. These dedicated sons of Africa have worked unceasingly for this unity of Africa and, what is more—and I hope the House does appreciate this—they are, as Head of State and Prime Minister of the individual sovereign states, prepared to surrender the sovereignty of their states, prepared to surrender the office that they enjoy in that sovereignty and prepared to surrender the flags of their states and their seats at the United Nations. This is something which many people would not think of doing, especially those who are driven by sheer personal ambition.

Mr. Speaker, Sir, the importance of Federation has been outlined by the Leader of the Opposition and the Seconder of this Motion. They have said that for the purpose of our future economic development it is much better to have a unit of 25-30 million people than to deal with a mere unit of 8 million or 5 million or 10 million people, and we agree with them, but, Sir, where they confuse the issue is, having said that it is better to have a unit of 30 million people than to think of a unit of 8 million people, they go on to say that it is more important to think of a unit of 1 million people in the Coast Region. Mr. Speaker, Sir, the Opposition cannot pretend on the one hand to want unity and on the other hand to plead for disintegration; you cannot have it both ways, and this is the crucial issue in this debate. Are we genuinely for unity or are we genuinely for disintegration? The Opposition must face this question in honesty and not by mere political platitudes. Mr. Speaker, Sir, there is no question at all that everybody in East Africa would like to see East African unity and the Leader of the Opposition has said—and we agree with him—that this Federation should be an effective Federation and not a confederation. Mr. Speaker, Sir, the Government accepts that attitude, the Government intends to press for a Federation and not a

[The Minister for Justice and Constitutional Affairs]

confederation. But again, as is usual in the confused thinking of the Opposition, on the one hand they say we must create an effective Federation and remove what they call "jobs for the boys" at the state level and yet the Leader of the Opposition, being the President of a region, is careful enough to say "Remove all jobs for the boys, but please, for goodness sake, retain my job in the region!" Mr. Speaker, the Opposition must decide. If Kenya wants to make a contribution to an effective Federation, the Central Government of Kenya must be prepared to surrender something, the regions must be prepared to surrender something; the whole of Kenya must be prepared to surrender something, otherwise you cannot have an East African Federation. You cannot have an East African Federation in which you say to everybody else, "You must surrender everything you have, but, for goodness sake, leave me intact."

If you do not understand that, then I pity you. Mr. Speaker, Sir, I treat this Motion as seriously as the Leader of the Opposition has asked us to treat it, but if his colleagues on the opposite benches do not, even at this late hour, understand what we are discussing, then I do not know what the Leader of the Opposition was talking about.

Mr. Speaker, the issue then is this: do we the people of Kenya want Federation or not? If we the people of Kenya want Federation—and I am not speaking about this House or the Government or the regions, I say the people of Kenya, do we the people of Kenya want Federation or not?—then we the people of Kenya must begin to understand that unity is a two-way traffic in which you give and take; you cannot expect others to give up everything and you say, "But we have this corner that nobody must touch." So, Mr. Speaker, Sir, the Government is prepared on this issue of Federation to go to the country if necessary and to prove that the people of Kenya want Federation. We are prepared to dissolve this Government today and go for another election to prove to the world that the people want Federation, to prove to the world, Sir, that the people of Kenya do not support the petty princes in the regions in their aim to retain their principalities. Mr. Speaker, Sir, we in East Africa are fortunate, more fortunate than those countries to which the hon. Leader of the Opposition has referred, because we, unlike any other part of Africa, or even the Middle East, have got a better starting point than any of them. Already, since 1948, we have had the East Africa High Commission, and since 1960 we have had the

East African Common Services Organization. We have already got a common currency, a common communication system and a postal union. We have got some co-ordination in commerce, in tariffs, meteorological services. We have what is more a nucleus of an important, effective and efficient Civil Service in the Common Services Organization, in the Post Office services, in the Railway Administration, in the meteorological services and others. We are already moving and talking of a Central Bank for East Africa. We have a parliament that operates on a parliamentary basis at the Central Legislative Assembly level. We have already got these as the nucleus of a strong, effective East African Federation. The other countries were starting from scratch; they had nothing from which to work.

As our delegation said to the European Common Market recently, "We in East Africa do not have to be taught about a Common Market by the European nations, they can learn from us because we have had a Common Market much longer than many countries, and if necessary we are ready—this Government and the East African Governments—to send a missionary team to Europe to begin to teach them about the Common Market." So, Mr. Speaker, there can be no question at all but that this Government accept fully the spirit of the Motion, accept fully that the people of this country want an East African Federation. When our delegation goes to Kampala in two days' time it will speak not only with the authority of the party in power, which has, in any case, the mandate to speak for the people of this country, but it will speak with the added authority of the support of the Opposition in this House, I hope. The Leader of the Opposition has referred to his efforts to speak to the Prime Minister, asking that the Opposition should be associated with these talks on Federation. I want to assure him that there is no intention of leaving the Opposition out of the talks at the appropriate time. At this stage the talks must be on a Government-to-Government basis. At the appropriate time, the Opposition has no sovereignty to give, only we can do that.

The Speaker (Mr. Slade): Hon. Members are getting a great deal too noisy. Applause is all right and interjections are all right, but when they interrupt a speech so that it cannot be heard, then they are utterly useless and a great nuisance to hon. Members who want to listen to the speech. This applies to both sides of the House.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, as I was saying, at the appropriate time the Government

[The Minister for Justice and Constitutional Affairs]

will lay in this House a White Paper on Federation, and that will afford the House the opportunity to discuss the details of what is proposed to be in effect, the federation. We do not, and I repeat this, we do not intend to ask for a confederation. We are, like you, going in for a federation. I would like—because the hon. Member of the Motion referred to territorial problems and constitutions—to tell him that these are things that are not new to us at all. They have been thought about and if he was interested enough to have read the joint declaration made by the Prime Ministers of Kenya and Uganda and the President of Tanganyika he would have seen in that joint declaration the following paragraph was included. They said: "We are aware that local and territorial factors have to be taken into account. We firmly believe that ways can be devised of overcoming any fears and of surmounting such difficulties, and special attention will be paid to the accommodation of relevant territorial interests in drawing up the Constitution of the East African Federation." We believe, in fact, that some of these territorial problems can be solved in the context of such an East African Federation." There is no question, therefore, that in the minds of these leaders of the East African Governments all these various factors and some delicate issues have been taken into account. But, what we cannot agree with is those who preach the doctrine of doom and hopelessness or fear. We do not believe that just because there may be one or two territorial problems, however delicate those problems are, that we should run away from facing the challenge of an East African Federation. On the contrary, we accept these as challenges which we are confident that we can overcome. We do not believe that just because some people may be thinking of crowns, even coconut crowns, that we should because of that be afraid to go ahead. I believe, Sir, that there are certain institutions, certain genuine institutions, in different parts of East Africa, that can be accommodated, that can be provided for, within the East African Federation to meet the genuine interests of everyone concerned. This Federation is not just for these Benches in this House, it is going to be for everybody in this country. This is the third time in the last few days that I am going to say again to the Opposition that for us in this country, in East Africa, we have a challenge, we have an opportunity, that the world would laugh at if we were to throw it away merely because of personal ambitions of tribalism and of other territorial fears. These

fears must now be removed. Some of the territorial rights, to which the Leader of the Opposition has referred, we have often been told can be resolved within an East African Federation. The Second of this Motion has told us for several years now, that some of our boundary problems, some of our tribal fears could be resolved within this Federation. If that is true, and I accept this, it is in contradiction to what the Mover of the Motion said about entrenching regions and tribes in order to move to Federation. There is no question of entrenchment. What this country needs, and what East Africa needs and which we as a Government are determined to provide for them, with the support of the whole country, is a genuine unity, an effective unity. I agree that we can be a good example to other parts of Africa, because, again, in the joint declaration of the two Prime Ministers and the President, it is clearly stated that our objective is not just an East African Federation alone, but a higher aim, and we are looking forward to the day when our neighbours and other people can come into this bigger body and from our example give practical applications to the resolutions of the Addis Ababa Conference. This is what we are trying to do. As genuine Pan-Africanists, we intend to move ahead towards a bigger Africa, a stronger Africa, a more effective Africa, and an Africa in which the Western and Eastern powers will not have room to manoeuvre and intrigue in the exploitation of everything that we have been talking of, dreaming of and thinking about.

Mr. Speaker, I said that the Government accepted the spirit of the Motion. I now wish in view of what I have said, and in view of the remarks made by the Opposition—they say they accept the East African Federation—they say they accept the East African Federation—want to go further. We want a total commitment in this House today that all of us are for Federation; that personal ambition is not going to stand in the way; that tribalism is not going to stand in the way; that territorial constitutions are not going to stand in the way. I want the House to know that we intend to press for a division to see where each Member, as an individual, is going to go today.

Mr. Speaker, Sir, I therefore beg to move:—

That the Motion be amended by the deletion of the last two words, i.e. "Prime Minister", and in the place of those words to have instituted the words "Head of State". Thereafter, to add the following words "personal ambition, tribalism or territorial constitutions must not be allowed to stand in the way of this vital step towards the unity of East Africa".

[The Minister for Justice and Constitutional Affairs]

Mr. Speaker, if there was any doubt as to our motives, and if anybody thought that we would wish for a constitution which would preserve our position as Ministers on this side of the House, we are placing now, on the Table in broad daylight, our position. Whether we all disappear as Ministers or political leaders, is not important. What is important is that the unity of East Africa must now be brought into reality by dedicated people, who are not going to think "I am the Regional President, I must preserve my position; I am the Prime Minister of Kenya, I must preserve my position"; we are not going to think "I am the political leader of Kadu, A.P.P., Kanu, I must preserve my position." What this demands is the courage to accept totally a commitment to East African Federation, a commitment to what the Leader of the Opposition has called in the Motion "an East African Nation", a commitment to an effective federation and not one federation of little provinces, to which the Leader of the Opposition was alluding. I ask the House to ask itself whether it accepts the words of the Leader of the Opposition that it does not matter what happens to Tanganyika, it can remain as one region with nine million people, but that Uganda and Kenya should be subdivided into little regions of one million. Does he honestly believe that there can be genuine unity in which one region remains with nine million people and that Kenya and Uganda should be dissected into little petty provinces, and all of them united actively? He referred to the United States of America, but I feel that the hon. gentleman has not been reading what is happening there. What is happening there today is all because of these petty provinces and principalities, where a man is a man in one state and in another is a sub-human being. Is that what he wants to see in East Africa? That is not the kind of unity that we want.

Mr. Speaker, Sir, I beg to move.

The Minister for Commerce and Industry (Dr. Kioko): I arise to support the amendment, Mr. Speaker, Sir, just in case some of the people in the Opposition did not understand the Motion to be amended, I will do my best to explain it to them in very simple language, so that we can have the amendment approved unanimously. Mr. Speaker, the concept of federation is a very, very serious and a very important step to be discussed at this stage. I hope, therefore, Mr. Speaker, we shall be able to examine the propositions before us, without again trying to make cheap politics out of it. This is the kind of discussion that the

whole country is waiting for. The people in Uganda, the people in Tanganyika and the people in Kenya are waiting to see what we are going to do to make federation a reality, within the shortest possible time. We should therefore, do our best to avoid cheap politics and come up with some very sensible ideas.

The first thing I want to draw the attention of the House to is this. When we talk of united Africa, or united East Africa, we have in mind a feeling that there is some degree of oneness or a degree of unity among the African peoples. This is what we have had in mind all the time, when we professed our support of Pan-Africanism. This being so, it is contradictory to the concept of the people who want to live together, to be allowed to live together, as if there are some people in this country who do not want to live together. You cannot say that you believe in Pan-Africanism and unity on the one hand, and say on the other that there are people who do not want to live together. The two ideas do not go together.

The second point I would like to point out is this, when you talk of uniting East Africa, you must avoid what I call "blind talk". It is all very well to say that the central Governments should surrender their power and, at the same time, say—and it was said by the Mover of the Motion—though I am sure that it was a slip of tongue, that if the regions want to fly their flags, they can. Either we believe in getting closer and closer to the integration of the people as a whole or we do not. We cannot have our cake and eat it at the same time. I hope that was just a slip of the tongue of the Mover of the Motion, and that the Mover of the Motion was not speaking in terms of six flags, I do not know how many for Uganda and one for Tanganyika and another for the Federation. I am sure that was not really what he meant. I shall give him the benefit of the doubt.

Mr. Speaker, Sir, I now turn to the third point, which is that if we believe in this Federation we must avoid uncorrelated and contradictory or conflicting pockets of power. This will therefore mean that where the interests of a kingdom, or a region or a district seem to conflict with the overall concepts of Federation then the interests of Federation must always prevail. Under these circumstances if we accept, and we do want to accept, very eagerly and very enthusiastically the concept of Federation then we must be prepared, and I say we must be prepared, to accept far reaching constitutional amendments of the constitutions of Uganda, Kenya and Tanganyika in

The Minister for Commerce and Industry] order to bring the constitutions of the three territories along the same direction. We must be prepared for that because we must move towards the same direction. We cannot have constitutions that direct us to the right, to the left and backwards. We must move, even constitutionally, in one direction and I hope, therefore, that the people in this House are prepared to accept the necessary constitutional amendments which will put the three territories on the same line.

Now, the last point I want to make, Mr. Speaker, is to say that the Mover of the Motion will have the opportunity to reply to the points we make and therefore I would crave his indulgence, to avoid interruptions. The point I want to make is this. When we talk of having a Federation here, we must remember that there are people who have been working on this question not only of the Federation but the whole question of Pan-Africanism throughout their lives. I am glad to say that if and when this Federation is achieved it will definitely be a crowning experience for the Prime Minister of this country who has devoted his time and his life to the concept of Pan-Africanism long before some of us ever knew what Colonialism meant or could even speak English and, in some cases, before some hon. Members were born. That being the case, Mr. Speaker, I hope there is no question at all in the minds of anyone in this House, that anybody, particularly on the Government side, needs to be persuaded about the importance of the Federation or the importance of Pan-Africanism. One thing I would like to make clear is this. We have been told that what we want is an effective Federation, and we accept. Our amendment simply says that in getting that effective Federation we must remove those things that create what I call pockets of power which would make that unity difficult: such as tribalism, such as devotion to regionalism, such as devotion to parochialism—I should call it territorial parochialism—and such things as desire to remain in power irrespective of whatever else happens. I have always been worried, Mr. Speaker, about people—I will not say necessarily in this House, but people in the political world—who love to be big fish in small ponds. We are hoping, Mr. Speaker, that that kind of group, wherever it is—I do not point a finger at anybody; if anybody suspects himself, that is all right—who wants to be a big fish in a little pond; we would ask them to forget the small ponds and be great men in a great Federal estate, which we hope to establish in this country.

Mr. Speaker, therefore, let us put it this way. It is no longer a question of trying to make cheap

politics of it: we want to see Federation coming to this country. We must say publicly, and I want to hear the Mover say this clearly, that they are also ready to accept the necessary and far-reaching constitutional amendments that will be involved in the creation of this Federation because without doing that we would not be able to have a very effective Federation. Lastly, we are not going to have one huge region of nearly ten million people in Tanganyika and then regions of a million people in Kenya and similar small units in Uganda. We want some degree of unity, of uniformity, or some degree of similarity throughout these three territories in order that we can make the Federation all the more effective.

Mr. Speaker, Sir, I beg to support the amendment.

(Question of the first part of the Amendment that the words proposed to be left out, be left out, proposed)

The Speaker (Mr. Slade): I do not think that this matter of the amendment is conveniently separable from the main Motion. So hon. Members speaking on the amendment may also speak on the main Motion, but no hon. Member can speak twice.

Mr. Ngeli: Mr. Speaker, Sir, I would like to say one thing in connexion with something said by the Minister for Commerce and Industry. He says that we are, or some people are trying to be, big fish in a small pond. It is equally important that we should not look like big fish without a pond. A lot of things have been said about the Federation. Of course, a lot of the hon. Members on the Government side seem to be the apostles of Federation but they are not. I can tell them that this concept was made at meetings of East African leaders thirteen years ago when they met in my office under the chairmanship of the Prime Minister to discuss the Federation. This is not a new thing. But, Mr. Speaker, the difference lies in the way of doing it, or the application of the thing. The Africans say that a flea is a very small insect but it makes you leap. It is very important.

I know some of the hon. Members, especially some Ministers, are trying to hurry these things so that the annals of the history of Kenya or East Africa will record that they are the architects of Federation. But they are not. If they really mean what they say when they say that we want pure Federation for the purpose and for the good of the Africans of East Africa, I see no reason for wasting time here discussing the Federation, but I shall ask the Government and the Opposition to carry on with the work. The Government

[Mr. Ngeli] have expressed willingness to co-operate. Why is the Government afraid of having the Opposition join in the discussion on the Federation? We must also look into other small things. We have various small kingdoms. The Government, Mr. Speaker, seems to be jumping on a boat which is of their own making. They signed the Constitution—that is a fact. And I, Mr. Speaker, am asking the Government if they challenge these things: if they do challenge that they did not sign the Constitution, then here is a point on which I would like Mr. Speaker to rule, whether we take it to the courts of law and decide whether they did sign or not. I am not a *Majimboist*. The Constitution has been signed by you and the other Government, the Kadu Party. It is up to you to co-operate.

The Speaker (Mr. Slade): Members must address the Chair.

Mr. Ngeli: Sorry, Mr. Speaker. It is up to the Government and the Opposition to agree that there is a Constitution, not a *Majimbo*, but a Constitution, and from there we can move by saying what we are going to do so that we can pave the way for an East African Federation. I know some hon. Members, Mr. Speaker, may not hear. We have heard enough from the Minister for Justice and Constitutional Affairs. He says that the Government has been given a mandate. The Government has not been given a mandate to form an East African Federation, and if the Government really want co-operation, I do not see why they should not come out. This is not like catching fish in Lake Nyanza, this is a serious affair—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I do not know whether I should rise on a point of order, but I would like your ruling. Is the hon. Member saying that the Government has no mandate to speak for Kenya on Federation? Because this is a very important question so far as we are concerned. We are busy negotiating with other Governments, and it should be clear in the House whether we have a mandate to negotiate for Kenya or not. We say we do.

The Speaker (Mr. Slade): That is not, in fact, a point of order. It is a very important point of debate; it might eventually come to a court of law possibly, but it is not one on which I can rule. I am afraid.

Mr. Ngeli: As I said, Mr. Speaker, this is not like catching fish in Lake Nyanza. This is a serious thing, a very serious thing, in the sense

that when we look at Uganda, Mr. Speaker, what about that established African kingdom—I do not mind what you call it, Mr. Speaker—but it is there. It is involving a lot of important people in that kingdom. We want to go slowly, we want to speak to them, so that it does not look as if we are forcing a federation on those people in Uganda.

Then there is another thing, Mr. Speaker. We know for certain in Kenya that we have got the golden boys of America and the golden boys of the East and the golden boys of Britain. That is a very important thing. Mr. Speaker, when a federation is going to be established, the golden boys of America will have dictation from America; the golden boys from the East will have dictation from Moscow, or somewhere in the middle of Europe, and the golden boys of Britain will also have dictation from Britain. Therefore, what I am actually saying in a nutshell, Mr. Speaker, is that we want our federation to go smoothly; not slowly, but to go smoothly. This is a thing that we share. Some of these Members here, the Parliamentary Secretary for Education, the Prime Minister, the Minister of State, Prime Minister's Office, sat for many hours in my little private office with leaders from Tanganyika, Uganda and Zanzibar to discuss a Federation, and yet today they say that we are invited to federate with Mr. Speaker. I do not want to go further and say a lot of things, however, there is one thing that I would like to mention. We have been told that this is a Government, and we are told that this is the ruling Government, and it is the one with the majority. We agree, but let us not forget that the greatest Englishman living today, Sir Winston Churchill, saved a million English souls, only to be defeated after that victory, which was a world victory. We must not forget today, Mr. Speaker, that the Prime Minister of England, Mr. MacMillan, could be made to resign from his office because of a model. Mr. Speaker, I would say that I do not want to move in the right direction by consulting various people, and therefore, Mr. Speaker, I beg to support the Motion.

Mr. De Souza: Mr. Speaker, Sir, I want first of all to congratulate the Government on the speed and efficiency that they have shown since they were elected into power. Seldom, I think, in this world has a Government been seen to work with such speed and imagination and with such decision and action as our Government has done since it has been elected. As the Minister for Justice said on the very day that they were elected and sworn into power, a delegation went to Tanganyika to set out negotiations to bring about

[Mr. De Souza] an East African federation. Indeed, Sir, there were many of us who thought that after two of the three territories of East Africa had already become independent, and after there was, in fact, the sovereignty that the countries enjoyed, and the personalities and the problems that personalities bring about, it might indeed be very difficult to bring about an East African federation. However, it was the quick action, the decisive action, of the Government of Kenya, with the very generous, magnanimous and statesmanlike attitude shown by the leaders of Uganda and Tanganyika and Kenya, that we have, in fact, been able to bring about an East African federation, Sir, I would like, once again to congratulate all the leaders of East Africa on their very important achievement.

Sir, the second point which I would like to make is that the Leader of the Opposition has said he wants a federation, and not a confederation. In this we all support him, but I wonder whether he really understands what the difference is between a federation and a confederation. Now, the difference is this: that in a federation the residual powers are reserved with the Central Government, whereas within a confederation residual powers are reserved with the constituent units of the confederation. Now, Sir, my friend, the hon. Leader of the Opposition, argued in London, and in many other places, that residual powers in Kenya should remain with the Regional Authorities; whereas if he now wants a federation, he is accepting that the residual powers should in fact lie with the Central Government. So, Sir, by implication he obviously can see that what we need in this country is a strong Central Government with the residual powers in the strong Central Government, and by implication he admits that all the other authority should, in fact, be small local authorities and nothing more. I am glad, Sir, that the point of view that Kanu took in London and has taken ever since, that what we need is a strong Central Government has at last been accepted by the Opposition, and I think that in this they will be well advised.

Sir, I want to go further, and say that an East African federation needs not only one flag and one Prime Minister or one Head of State, but what we need is one civil service commission for the whole of East Africa, we need one judiciary and one judicial system, we need one system of local government and one system of law. Sir, this is, in my submission, the correct system if we want an East African federation, with powers in the centre, and which will help all the people

of East Africa to bring about the economic progress that we all desire.

Mr. Shikuku: Mr. Speaker, Sir, as the time is running out, and many hon. Members have already spoken on this question, I am of the opinion that this House should not have taken such a long time on debating this vital issue, but it appears from the speeches already made that the Members have converted this vital issue into ordinary local politics. This, of course, makes the whole position very queer and absurd indeed. Mr. Speaker, Sir, the Mover of the Motion did not have cheap, local party politics in his mind when he moved the Motion, but this has (inaudible.) as the speaker stood up.

Mr. Speaker, Sir, here we have been told that some powers have got to be surrendered. Here again we are told that we cannot talk in terms of an East African Federation when, in actual fact, we talk of a *Majimbo* Constitution. May I explain to them what is meant, Mr. Speaker, Sir. We are not talking of one East African bed in which you are going to sleep. We are talking of various territories trying to agree on a type of constitution which will be able to cater for the East African Federation, and not one bed or one wife for all. The hon. Members on the other side of the House, when they get into this Chamber, think they are going to a Youth Wing meeting, and the sooner they get that out of their minds the better. Mr. Speaker, Sir, the federation we are talking of is a federation based on reality, and not a federation of leaders and Prime Ministers or Presidents, but a federation of the people of East Africa, and here, if I may quote from the Minister for Justice and Constitutional Affairs, he said: "The two Prime Ministers and one President had in mind the territorial problems." This is a very important question. The two Prime Ministers and one President knew very well, Mr. Speaker, that we had a Constitution in this country which was agreed as being in the interest of all the people of Kenya, and which they could not just stamp away. Therefore, when someone stands up in this House and tells us, if you want an East African Federation, then you must abolish this *Majimbo* and all the rest of it, he does not seem to understand what is in that statement. What is in that statement is that there are territorial problems and those include the constitutions of the various territories, and in Kenya certainly it is the *Majimbo* Constitution which the Prime Minister of Uganda and the Prime Minister of Kenya, who was a party to this Constitution, and, above all,

[Mr. Shikuku] the President of Tanganyika realized that they could not stamp away, I must congratulate them for their wisdom.

Mr. Speaker, Sir, there is one point here which I would like to mention, and that is the point raised by the hon. Minister for Commerce and Industry when he said that some people—it has already been touched upon, but I have a different view on it—I think they will try to become big fish in a small pond, we people on this side of the House are not people who think small, but who, as a matter of fact, think big, otherwise we would never have been elected to this House. The impression from the other side of the House is that the Members on this side are less intelligent than they are. As a matter of fact the contributions made by the Opposition are indeed very sensible and I am sure that the Government will agree with me on that. In view of that fact that the time is running out, Mr. Speaker, Sir, I beg to move an amendment to the amendment—

The Speaker (Mr. Slade): Mr. Shikuku, the Motion before the House is simply that two words be left out. You want to alter the words that are going to be put in, do you not? Then someone else from your side will have to move that after we have disposed of this first amendment.

Mr. Shikuku: Sorry, Mr. Speaker.

The Speaker (Mr. Slade): You can give notice now of what you want to suggest.

Mr. Shikuku: Thank you, Mr. Speaker. May I give notice of an amendment to the amendment—

The Minister for Natural Resources (Mr. Sagine): On a point of order, Mr. Speaker, I propose that the question of the amendment be now put.

The Speaker (Mr. Slade): I will do that when Mr. Shikuku has finished what he wants to say.

Mr. Shikuku: Thank you, Mr. Speaker. I beg to give notice of the amendment to the amendment as follows: that the word "Constitution" be deleted and that the words "powers of the Central Government" be inserted.

The Speaker (Mr. Slade): Do you wish to propose that the question of the amendment be now put?

The Minister for Natural Resources (Mr. Sagine): I propose that the question of the first part of the amendment be now put.

(Question that the question of the first part of the amendment be now put and carried)

(Question of the first part of the amendment that the words proposed to be left out be left out put and carried)

(Question of the second part of the amendment, that the words proposed to be inserted, be inserted proposed)

The Speaker (Mr. Slade): Now perhaps somebody would move the amendment proposed by Mr. Shikuku.

Mr. Khasakhala: Mr. Speaker, Sir, I beg to move an amendment to the amendment, that the word "Constitution" be deleted and that there be inserted in place thereof the words "powers of the Central Government".

The Minister for Justice and Constitutional Affairs (Mr. Aboya): On a point of order, Mr. Speaker, when we agreed to extend the time to debate this particular Motion, the House was subject to certain regulations of Standing Orders which stipulated that so many minutes before the end of the discussion the Mover would be called upon to reply. It is now twelve minutes before the end of the session and it is our request that the Standing Orders stipulate that at this point, or nearly at this point, the Mover should be called upon to reply.

The Speaker (Mr. Slade): You are referring to the Motion that was passed in the first part of the sitting today that the debate be limited to two hours and that the Mover should be called upon to reply fifteen minutes before the end of the two hours. Now the two hours of this debate would not expire until 6.45 p.m., but we shall have to interrupt business at 6.30 p.m., so it is not yet time for me to insist on the Mover replying. However, if we proceed with a series of closures as soon as this amendment has been proposed, we can get very near it, and we might perhaps allow an extra five minutes or so for the Mover.

Mr. De Souza: On a point of order, Mr. Speaker, does this not come within the second part of the Motion, (b), that only one and a half hours be allowed?

The Speaker (Mr. Slade): No, this is an Opposition Party Motion. Now, Mr. Khasakhala, you were moving an amendment.

Mr. Khasakhala: Mr. Speaker, Sir, I beg to move an amendment to the amendment and that is that the word "Constitution" be deleted and be substituted by the following words "powers of the Central Government".

The Speaker (Mr. Slade): Would somebody second that formally? I am afraid you cannot, Mr. Ngala.

Mr. Pandya seconded.

(Question of the First part of the Amendment to the Amendment, that word to be left out, be left out, proposed)

The Minister for Natural Resources (Mr. Sagini): I beg to move that the question be now put.

(Question of the first part of the Amendment to the Amendment, that word to be left out, be left out, put and negatived)

(Debate on the second part of the original Amendment resumed)

The Minister for Natural Resources (Mr. Sagini): I beg to move that the Mover be now called upon to reply.

The Speaker (Mr. Slade): No, no. We must first dispose of the questions of this amendment. I will put the question that that question be now put.

(Question that the question of the Second part of the Amendment be now put, put and carried)

(Question of the Second part of the Amendment that the words proposed to be inserted in place thereof, be inserted, was put and carried)

(Motion, as amended, proposed)

Mr. Kibaki: Mr. Speaker, I beg to move that the Mover be now called upon to reply.

(Question put and carried)

The Speaker (Mr. Slade): I think we can give you an extra five minutes if you like, Mr. Ngala.

Mr. Ngala: Thank you, Mr. Speaker. Mr. Speaker, Sir, I am very pleased that the Government has accepted the spirit of the Motion but I think it is very obvious that the Government did not understand the object of the Motion. I would like to make it quite clear that I made the question very clear from the beginning that my purpose was to create a true, better Federation of one East Africa as a country. I am very surprised to see that the Government has very intentionally misunderstood the first point that I have emphasized, because I emphasized a federal constitution for East Africa, and this Government amendment was completely unacceptable because it is aiming at a unitary Government for the country. Now this, in fact, is a very different intention. The hon. Member for Kaangema who

claims to be an expert of constitutional conduct has shown complete ignorance of a federal constitution. I cannot accept an amendment which gives a unitary constitution. Mr. Speaker, Sir, my submission and my request was quite different from what the Government is putting before us.

My second point, Sir, is that the one nation must be achieved smoothly. Now the Government's amendment—which does away with the existing Constitution—is not intended to achieve one smooth nation for East Africa. It has simply been made very clear to us that if we disturb existing institutions then we are asking for trouble, and instead of getting unity we shall get trouble and chaos. The Government is asking for trouble and chaos and we feel that we cannot therefore share that attitude.

I am also surprised that the hon. Deputy Speaker does not understand what residue powers mean. I have made it very clear that once we have one East Africa as a nation the residue powers will remain with that nation. Even in the existing Constitution of Kenya, these powers do not remain with the regions. I thought he had studied his Constitution properly. The amendment by the Opposition is very rightly given to the Deputy Speaker in this matter.

Sir, I am very disappointed in a way because the very Government which has always advocated African nationalism, the champions of Pan-Africanism, are today discouraging a very genuine desire to create one democratic federation for East Africa. Their amendment only amounts to a unitary government for East Africa, and we have not asked for that at all. I would like to say, Sir, that the Kenya Government in the delegations that are forthcoming has no mandate to speak on the behalf of the regions, as far as the inclusive regional powers are concerned in the internal Constitution of Kenya. They know that very well and this is why we have submitted an amendment so that the Central powers only are involved. The Minister for Justice and Constitutional Affairs knows very well that he has no mandate when he is in Kampala or Dar es Salaam to talk of the regional powers that are constitutionally concerned.

I would like to say, Mr. Speaker, Sir, that I did not intend to point out or to come to any questions of discrimination in the United States of America, because even without these ideas in East Africa we do not have such discrimination. It is not a part of us and we do not believe in it.

I would like to deal with one point of importance. The congratulations which have been given by the Minister for Constitutional Affairs to Dr.

[Dr. Ngala] Nyerere and Mr. Obote we would like to share very sincerely. They have really helped in getting the spirit of federation moving. Here we are emphasizing the form of federation. The Government amendment is rejected because it is not a federation which is a unitary constitution. The Minister for Constitutional Affairs seems to suggest that in a federation the population between the units of the federation should be equal and he is talking of one million as against thirty million and so on. I thought he was very familiar with America. I thought he was the most widely travelled person in this House, and he should know his geography and history, and the Minister for Constitution should know the constitutions of the various countries.

We feel very strongly that the powers that should be surrendered are the powers that are being held by the central authorities. I have made the point, Sir, that if we intend to achieve one federal nation then the local and genuine fears of the people must be properly safeguarded before we can think of one large unit. This is not a question of the President of *Majimbo* maintaining his post. Far from it, but it is the question of trying to bring together the various territories into one unit with the appropriate powers to achieve the economic development, the creation of wealth and also the creation of employment for our people. If this is the intention of the Kenya Government and if they are going to Dar es Salaam and Kampala with the view of creating a unitary constitution for Kenya, the forthcoming talks are going to be a flop. What is more you know it.

The Speaker (Mr. Slade): Order, order. I cannot tolerate this constant babel from the Government Benches.

Mr. Ngala: Mr. Speaker, Sir, I think I have made my points quite clear, in that I was intending to have one democratic East African nation. I do not oppose the question of one head of state, it depends very much on the form of powers that the Head of State is given. This is a matter of detail which can be negotiated and an agreement can be reached. I have always opposed a Head of State who can have all the powers except those powers which I have mentioned before.

With regard to the question of tribalism I would like to make it quite clear that there are some people who think that Pan-Africanism means that all the African countries must have one identical constitution throughout. This is

quite wrong because every country must determine its constitution by the circumstances, wishes, thinking and welfare of the people within that country. This is the very thing that we are trying to do in East Africa to get one nation which is strong, and also to get the other appropriate body a place as far as the constitution is concerned.

I therefore, would like to have felt that the Government was reasonable enough to accept the amendment to the amendment so that this matter can be appropriately discussed by the Governments concerned, and the central powers can be re-examined if possible so that the unity of one country—a federal unit—can take place.

I am very surprised, Mr. Speaker, Sir, that no Government Minister or an hon. Member from that side has placed any importance on the creation of welfare and economy in this country.

Now if the purpose of the Federation is to bring about a close Government of the country it is no use going away from that. The Minister for Constitutional Affairs knows very well that in our internal Constitution we have agreed that matters of major economic development should remain with the Central Authority, and to bring them here as matters now being held by the regions and say the regions are hindering the development economically is quite a distortion of the truth.

The Speaker (Mr. Slade): You are already six minutes past the time for interruption. I think you will have to bring it to a close now.

Mr. Ngala: Mr. Speaker, Sir, I would like then to show my gratitude to all the Members who have made their contribution in this and show my disappointment as to the amendment because Government has not shown any appreciation of bringing about federal unity in East Africa which is to be taken into account in realistic terms for East Africa.

(The question of the Motion, as amended, was put and carried)

Resolved accordingly:—

THAT this House would welcome a Federation of East Africa this year and urges the Government of Kenya to negotiate on the basis of creating one East African nation embracing, amongst other fundamental aspects, one flag and one Head of State and that personal ambitions, tribalism or territorial constitutions must not be allowed to stand in the way of this vital step towards the unity of East Africa.

MOTION ON THE ADJOURNMENT

DISTURBANCE AT A KADU TEA PARTY

The Speaker (Mr. Slade): It is now time for interruption of business. I call on a Minister to move that this House do now adjourn.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Minister for Natural Resources (Mr. Sagini) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, the Motion is concerning the disturbance caused by Kanu supporters to a Kadu tea party which took place on the 25th of this month.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. Could I have your ruling as to whether, as regards the wording of the opening remarks of the hon. Member, he will be called upon to substantiate what he said in that Kanu supporters disturbed a Kadu tea party? Could we have substantiation of what he called Kanu supporters? Could he identify the Kanu supporters? We insist on this because this has not been reported to the authorities, the police or anybody, for the identification of the Kanu supporters.

The Speaker (Mr. Slade): You must give the hon. Member an opportunity to describe what he is talking about.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. I am pleased to give him the chance to state his case, but we do want an identification of what he is talking about, from the outset.

The Speaker (Mr. Slade): Identification of individuals may not be essential.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The House has been told, Sir, that—

The Speaker (Mr. Slade): You have raised a point of order, Mr. Mboya, and I have given my ruling. Continue, Mr. Ngala.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker—

The Speaker (Mr. Slade): Another point of order?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes, Sir. Could I understand what your ruling implies? At a later stage can we ask for an identification of what he calls Kanu supporters?

The Speaker (Mr. Slade): Very likely not; it depends what Mr. Ngala says as to what he has to substantiate. Identification of individuals is not likely to be necessary for the mere purpose of proving that the people of whom he speaks were Kanu supporters. They might just have been wearing colours without being known. We must see what he is going to say. Continue, Mr. Ngala.

Mr. Ngala: Mr. Speaker, Sir, I really do not want to start these political games between Kadu and Kanu, but I would like to put forward to the House, because it is a matter involving individual freedom of our citizens regardless of what party they belong to. Even if they do not belong to any party they are entitled to this freedom and we should exercise it in this matter. It is a matter of security as far as the individuals who were involved are concerned, regardless of Kanu or Kadu. Therefore, I would like to raise it as an issue which mainly concerns the Government of Kenya, and not Kanu as the party. I would like, therefore, the Minister who has just sat down, to be patient and let me know afterwards what the Government intends to do.

First of all, Sir, I thought the Speech from the Throne made it quite clear that the Opposition had a place in this country and that the Opposition had an important role to play in this country. Also, last Saturday, the Prime Minister himself made a public speech in Nakuru in which he stated in no uncertain terms that the Opposition had an important role to play in the political life and social aspect of this country. These two speeches, Sir, have very much encouraged me, and the entire attitude and intention of the Government to give an opportunity to whatever Opposition there is in the country, whether it is Kadu Opposition or whether it is any other form of Opposition, to exercise the freedom of expressing their choices, expressing their political ideals and even expressing the type of beliefs they would like to. This also concerns whatever party the people would like to have. They should be free to hold these parties without any disturbance, without any embarrassment or hindrance or any kind of torture.

(The Debate Continues)

[Mr. Ngala] On this day, on the 25th, Sir, I was invited to a party held by mostly old women, and I arrived at the place at about a quarter to five in the evening. This was taking place in the Pumwani Hall; I think this place is well known to the hon. Members on the other side. When I arrived there was no noise at all, there was no disturbance at all. I got into the room where the tea party was being held and I was told by the women—there were over 300 women—that some Kanu Youth in uniform had gone into the kitchen, kicked over the pots of tea that the women were preparing, kicked the piles of bread, walked on them and threw them about, pushed the women about and then left.

This was about half an hour before I arrived at the place, and the women had to report to the Police, in the neighbourhood of Pumwani. Now, the Police came to the scene, and, of course, the Police probably did not expect such a very irresponsible attitude to be taken, so there were not many Policemen. However, afterwards I saw two European Police Officers. I must say that they delivered their services, very well indeed, and although they were only two, there is very reason for me to congratulate them for the work they did as two Officers of the Police. Afterwards, these women had to prepare another tea, and I had to sit down for about forty minutes waiting for the other tea.

The Speaker (Mr. Slade): I would ask hon. Members not to laugh at this kind of speech.

Mr. Ngala: This is a very serious thing, and all the hon. Members on the Government side just laugh, when it is really their responsibility, that it is security and the individual freedom of the people of this country, regardless of their Party, the Party they belong to. I thought the Government said, that the Government that they would form would not be a Government of thugs. I thought the Government said that they would rule by law and order, and even the Prime Minister today stood up here and said he was going to rule this country with law and order. Is this an illustration? I would like to know, not from Kanu, but from the Government, that if the Government knew that this was likely to happen, what preparation would the Government make to ensure that these poor old women who had contributed the little money that they had—the only money that they had—to buy a cup of tea, and yet they have this embarrassment, this harassing by citizens, whose Party is running this country. This, Sir, disappointed me. I felt that as

far as the security of these people was concerned, and their freedom is concerned, it was at stake, and I would like to know, particularly in the Nairobi area and in other parts of Kenya, what the Minister responsible for the security of the people intends to do so that in future tea parties held like that, are held in peace and are held with the respect and decency that should be expected in a free country. If before independence this is the treatment that we are receiving, what kind of treatment are we going to receive after independence? What humiliation are we going to receive? Stones were thrown into the tea that these women were preparing, and soil was poured into their tea and on the slices of bread which had been smeared with jam and butter, and windows were broken by people throwing stones. Even respectable Members of this House were soiled, respectable Members of this House, Mr. Speaker, Sir, and stones were thrown at their cars. Is this the sort of Government, is this the sort of security that we are going to enjoy in this country? Is the Opposition not allowed to express views freely? Are we not allowed to hold our tea parties freely just because Kanu won the elections? I would like to get a reply from the Minister concerned because we had thought that there was democracy in this country, freedom of choice, freedom of holding tea parties. If anybody is not interested in the tea party he should keep away. Of course, we are not interested in him if he does not want a tea party, but why interfere with other people? To give the Government a chance with regard to this important question of security and the freedom of the individual I would like them to reply on this question.

The Speaker (Mr. Slade): I would point out that we can continue until ten past seven. We have half an hour from the time we started Mr. Ngala's debate.

The Minister for Home Affairs (Mr. Odiga): Mr. Speaker, Sir, just as much as I respect the views of the Mover of this Motion, I would say that the way he has worded his description of the incident which happened only throws us into embarrassment and confusion. As soon as we begin to make wild charges that every incident which happens somewhere happens because there are two opposing parties, we will never get to the end of it. Even if, as he has said, there might have been some youth hangers who made this incident, it is very difficult to know whether these people were Kadu or Kanu. You cannot say that it is also very difficult for the Police to know definitely whether they were Kanu or Kadu.

[The Minister for Home Affairs]

Ever since he moved the Motion in this House, or he gave the intention of moving this Motion, I have had the help of the Police and people concerned with security, so as to get the correct information regarding the people concerned. So far I have been unable to get any information regarding the persons concerned. As such, Mr. Speaker, I would only say that if the hon. Member trying to put the blame on us, then the value we attach to anything he moves here will be very considerably reduced. I do not want to defend myself for the sake of defending. I do not want a political capital issue on something which is a very sorry state of affairs. I am very sorry that such a state of affairs should have happened to him. It was very unfortunate, and we know that normally with such things something is done about it. Take for example when we were in London. Rotten eggs were thrown at us. We do not actually blame the British people, because the British people are very responsible people. There are certain facts and certain elements among all people who actually get out of control and do that. However, immediately we begin to make a political issue out of it, it does not help. I do not think that there is a Kanu person, or any other person, who actually holds himself responsible for spoiling such a tea party. It is completely aimless and it does not happen, and I do not think that it has happened. I am assuring, Mr. Speaker, the Opposition and the Mover of this Motion that if this has happened, we are very sorry about it and we will continue to investigate, and if we find the culprits they will be brought to justice.

However, Mr. Speaker, the attitude which the hon. Mover of this Motion is taking, that is of always trying to make a political issue out of something, is colling up in our minds, and one day he will find that we will adopt the same attitude. It will not help, Mr. Speaker.

Therefore, Mr. Speaker, with these few remarks I hope that he understands the attitude of the Government and how we stand regarding this particular incident. We shall continue with our investigations.

Mr. Shikuku: Thank you, Mr. Speaker, Sir. I am very surprised, as I look upon the Members in this House, with due respect, that when this Motion was being tabled by the Leader on this side some people laughed. It was a sorry state of affairs, and I agree with the hon. Mr. Oginga Odongo. As a matter of fact he is the only Member on that side who speaks with sincerity and responsibility—

The Speaker (Mr. Slade): Order, order, you must not say things like that Mr. Shikuku. I think you had better withdraw that remark.

Mr. Shikuku: I withdraw. I am sorry about that, but I was trying to put this point across. I feel that this is a sorry state of affairs where you have elected Members who had been invited to a tea party by these old women, most of them were very old indeed, and I found some in tears. I was with Mr. Ngala when we went down. They already had their tea poured, as has been described. However, when this was put in the House some hon. Members took it as an amusement. Is this not why we have fought all along, just to establish a Government in which we would be free, free also to organize ourselves and free to meet and drink or eat? Here we are in a dilemma.

Now, we who were there, have been in Nairobi all along. I know these chaps. The Youth Wingers were there, and I can point them out. It is unfortunate indeed, Mr. Speaker, that someone has asked us here to substantiate rights at the beginning of the Motion, but here I am ready, Mr. Speaker, to get the youths who were there. I am very sorry to hear that no one was arrested. The youths smeared mud on my car knowing very well that it was Mr. Shikuku's. The sorry state of affairs is this: this matter was reported to the police, and up to now nobody has yet been found. The question is this: who broke the windows? Did the windows break themselves? This is a very interesting question. Did the windows break themselves? If they were broken then it must have been done by somebody. However, I was very surprised to hear from the Minister for Home Affairs, that so far their investigations have proved that they have not been able to get hold of anybody. Suppose I had had my eyes bashed by big stones?

Mr. Speaker, I think we are here as representatives of the people, and the attitude that we have in this House, reflects on the people who support outside this House. If such a question is raised in this House, Mr. Speaker, Sir, in future, I think we should all look at it—not politicians—as this question affects the people of this country. The way we behave in this House will also be taken very seriously by our followers outside this House, and in this, Mr. Speaker, I would like to ask the Minister for Home Affairs—although he has already hinted that in the future he will make sure that nothing of this nature does happen again—to assure us from now on that there will be

[Mr. Shikuku]

freedom of association, freedom of speech, freedom of organization and freedom of tea parties, in this country, henceforth. Mr. Speaker, Sir, this is something which has happened in a constituency of one of the hon. Members. I do not mean to say that he is concerned, but he should also apologize or let us on this side know that he disagrees with the instances which took place in his constituency—and I am referring to the Member for Nairobi Central—and I hope Pumwani is in the Central Constituency—and I think it would be wonderful if he could stand up and apologize and also let these people know that it was very wrong to have this happen to hon. Members who attended that tea party.

With these few remarks, Mr. Speaker, Sir, I beg to support.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, the Minister for Home Affairs has spoken on this issue and I hope the Leader of the Opposition is convinced that the Government is prepared to take seriously what ever incidents are brought to its notice. One thing I do want to stress is the dangers of generalization and general accusations, and especially when there is a hint of party politics in it. I was particularly, myself, moved very strongly when the hon. Leader of the Opposition started speaking and with his opening words went straight to the party definitions of the incident.

The Chairman of his party saw me yesterday and explained to me what happened, and I gave an undertaking to go with him and the officials of his party to Pumwani to find out exactly what had happened and to speak to the people concerned. Despite this undertaking the hon. gentleman and his party insisted on bringing the matter into the House on a Motion on an adjournment. I do not intend to deny the Opposition the right to come into the House with a Motion on an adjournment, but the question is that either they take this matter seriously and want a remedy, towards which remedy we will all work together, or they just want headlines in the newspapers. I hope I do not get accused of inducing motives, but it is regrettable that the hon. gentleman—for whom we have a lot of regard—is exposing himself to a position where he can be accused of only trying to reap publicity out of this issue.

I would like to make two points; one is the generalization that this was a party attack on another party. There must be a certainty and

that is how the hon. Member opened his speech. I am glad to note that he wants to withdraw them. The second generalization; it is very unfair when speaking in this House on an incident such as this, to continually speak of the Government not respecting its privileges, and to continually give the impression that it was the Government that either went to Pumwani or ordered someone in Pumwani to pour away the tea, to deface the place and to break the windows.

The Speaker (Mr. Slade): Mr. Mboya, he never suggested anything of that sort.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I am sorry if I misunderstood him, but the impression which was given to me in this discussion was that he wanted to know what this Government was doing in this incident.

The Speaker (Mr. Slade): Order, order. It is most important that hon. Members should not make misrepresentations of what others have said in this House, particularly on serious issues of this kind. Mr. Ngala was very clear in what he said. He said that he was not talking to Kanu, that he was talking to the Government, and he was asking Government what they are going to do to stop this sort of thing. With never a word did he suggest that Government was responsible for this having happened.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am glad, Mr. Speaker, that that position is clear. However, I do want to say that I believe very strongly, and I am not laughing because the other side said we should not laugh, and it is no use their laughing now. If this is a matter to smile about then there is no seriousness in it, either you are serious or you are not serious.

Mr. Speaker, I would like to hope that when there are incidents of this nature they are treated entirely on their merit and the responsible people that are involved should take the appropriate action. The appropriate action in this case is not just a debate in this House, it is to follow up with the police on what action is being taken to investigate the matter. Because, even if we debate here for 24 hours, unless appropriate action is taken to investigate the matter and deal with the culprits we will not solve the situation. The hon. Member for Butere has said that he knows the people who committed the offence. He says that he can point them out, has he gone to the police

[The Minister for Justice and Constitutional Affairs]

to assist them in their investigations? Has he pointed out these people if he knows them? Or is he just waiting to come here and debate and then to tell us that he knows them? Is it not his duty and responsibility to go to the police and point out that he knows them, that he wants to identify them? If it is serious that the hon. Member knows these people I say to him that he has a duty—even now after the debate—to go to the police and say, "I know the people who did it and I want to identify them". He should co-operate with the police. We do not care whether they come from Kanu, Kadu or heaven. All we want to do is to eliminate this atmosphere and to eliminate the kind of situation that has been created by this incident. I assure the hon. Member that as the Member for the Constituency, I still stand by the offer I made to the Chairman of his Party, if he still wishes to take advantage of

it and come to me and tell me who were the people involved we will do everything possible to make sure it is sorted out. It is not just the Opposition, we are not interested just in the Opposition, we are interested in every individual in this country, whether he is the Leader of the Opposition or not. We are not interested in a tea party just for the Leader of the Opposition, any tea party even by the papers, is just a tea party which deserves such treatment.

(The question was put and carried.)

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow, Friday, 28th June, 1963, at 9 a.m.

(The House rose at ten minutes past seven o'clock.)

Friday, 28th June, 1963

The House met at Nine o'clock.

(The Speaker (Mr. Slade) in the Chair)

PRAYERS

NOTICES OF MOTIONS

REGIONAL RESPONSIBILITY FOR NATIONAL PARKS AND HUNTING LICENCES

Mr. Klok: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House, being aware of the great importance of game preservation in Kenya, urges Government to consider:—

- making funds available for the Royal National Parks of Kenya;
- handing over the Parks to the respective Regions; and
- making the Regions responsible for the issuing of hunting licences.

REVIEW OF THE LAW

Mr. Nyanweya: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to set up a Committee to study and recommend to this House:—

- What laws in the statute book are either imperialistic or discriminatory.
- What criminal procedural provisions tend to place certain categories of people at a position of disadvantage or advantage.
- What existing anomalies which have the vestiges of racial or imperialistic outlook or are otherwise discriminatory in favour of a given class or race of the country should be repealed or amended.

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

(The Speaker (Mr. Slade) left the Chair)

IN THE COMMITTEE

(The Chairman (Mr. De Souza) took the Chair)

CUSTOMS DUTIES

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT the proposals relating to customs duties contained in the Financial Statement for the year of account 1963/64 be approved.

Mr. Chairman, Sir, for the benefit of Members who have recently joined us in this House I should like, with your permission, briefly to explain the purpose of the five Motions which I am now moving.

In the Financial Statement which I laid before the House on the 11th June, and in my Budget Debate Speech on the same day, I made proposals for raising the necessary finance to meet the public needs in 1963/64 and these included some changes in customs duties and the tax on second-hand motor-cars which became effective in April.

Now, these various measures are enforced for the present under the Provisional Collection of Taxes and Duties Ordinance, Chapter 415 of the Laws of Kenya, but must be made finally effective within six months under permanent legislation and this will be considered by the House shortly. The principal Bill in this connexion will be the Finance Bill.

Now, Mr. Chairman, my proposals concerning customs duties were covered in my Budget Speech and set out in detail in the Financial Statement. I would remind hon. Members that they are designed for three purposes. In the first place to protect particular industries, to increase the growth and development of industries in East Africa and to rectify anomalies in the customs tariff. Secondly, they are to increase revenue, and net receipts of £770,000 should be produced in this way. Mr. Chairman, I do not want to waste the time of the House in repeating what is written in the Financial Statement and in the Budget Speech about the individual customs duties and so on, Sir, I beg to move.

(Question proposed)

The Chairman (Mr. De Souza): I would like to remind hon. Members that under Standing Order 140 (3) Members can only speak once to each Motion in the Committee of Ways and Means except the Mover who has a right to reply.

(The question was put and carried.)

PURCHASE TAX ON SECOND-HAND MOTOR VEHICLES

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT the proposal relating to purchase tax on the purchase of second-hand motor vehicles contained in the Financial Statement of the year of account 1963/64, which became effective at midnight on the 16th/17th April, 1963, be approved.

[The Minister for Finance and Economic Planning]

I do not think I have very much to add, but simply to say that the measure is designed to enable the Government to share in the purchasers' right on the value of second-hand cars, resulting from the increase in customs duties. Once you increase the duty on new cars, the market for the second-hand cars, of course, rises, and my feeling is that the Government should benefit from the rise in the cost of second-hand cars, and I hope that the Treasury will benefit by some £200,000 in a full year.

Now, the tax on the second-hand cars, and the transfers on second-hand four-wheeled motor vehicles is Sh. 20 and Sh. 30 on two- and three-wheeled vehicles. Certain special purpose vehicles entering Kenya: tax free, such as aircraft crash tenders, ambulances, travelling libraries, et cetera, and transfers of higher purchase vehicles, will be excluded from the tax.

Mr. Chairman, I beg to move.

(Question proposed)

Mr. Ngala: Mr. Chairman, Sir, as far as these proposals are concerned I think that it is based on a very wrong principle, because, as explained by the Minister for Finance, the purchase tax on new cars has gone up the need for second-hand cars has also gone up, and Government would like to tax the buyers of second-hand cars.

Now, I think the people who go in for second-hand cars must be people who are not as well to do as those who can afford new cars, and I think there is a need to help these people who cannot buy new cars—which are naturally, very expensive—to be assisted. Government is not assisting them when they tax Sh. 200 on a second-hand car. I would like to get an explanation from the Minister as to why a new car, arriving at Mombasa will be taxed, and if it is sold again, either at Mombasa or elsewhere, it is twice taxed by the Government. This is quite unfair. The entire principle, Sir, seems to be quite unfair. Again it seems to be quite unnecessary, and it is a tax which the Government has not explained to us the exact principle on which it is based. It is not sufficient just to say, because of the need for second-hand cars has gone up we must tax those people who buy second-hand cars without considering their needs. They are usually comparatively poor people who want better means of transport, and I think the Government has a duty to assist them. Also I would like to get an explanation from the Minister as to what happens when the value of a car is Sh. 400, does the

Government take half? This is Sh. 200 and is that fair, is that a fair proportion of taxation? What about if the value of the car is Sh. 200, does the Government share—

The Minister for Finance and Economic Planning (Mr. Gichuru): It should not be on the road.

Mr. Ngala: I would like to know whether the Minister is aware of some kind of taxation on certain values which seems to be difficult and different. On the whole, Sir, I think the Government has no right to impose this.

Lastly, I would like to know why this tax was imposed on the 16th April, before actually discussing it here and approving it here, because there is a lot of complaint from car dealers everywhere in the country because the Minister imposed this without even consulting the Parliament, and the people concerned knew nothing about it. On the whole, it is quite unfair taxation based on entirely the wrong principle, and I hope the Minister will see the wisdom and find his way to remove it from the list of taxation items he is proposing to ask.

Mr. Khasakhala: Mr. Chairman, I would like to make my remarks on this taxation too. I feel that this taxation, as my colleague has said, is quite unfair to the ordinary man who is poor and wants to have a means of travelling, and in order to assist these people to move I feel that this taxation should be removed.

Secondly, I would like to hear from the Minister whether, if someone buys a second-hand car and he pays Sh. 200 this month and then trades in this same car for a new one, the buyer of that car again will have to pay the same taxation of Sh. 200. Then to me, Sir, the Government is going to tax people twice, or ten times. I think that is a bit unfair. There should be some means of checking on second-hand cars whereby if a car has already been taxed once, it should not be taxed again. If someone has bought a car and paid the taxation of £10 and trades in the car and someone buys this same car, the man who buys it should not be taxed because the tax has already been paid. I would like that explained by the Government, Sir.

Mr. J. M. Kariki: Mr. Chairman, Sir, I think that the hon. Leader of the Opposition does not know what he is speaking about when he mentions that somebody buys a car today which is £200 and then the Government takes Sh. 200 or Sh. 400. Mr. Chairman, he says that some people buy a car for Sh. 400 and that these people are poor. He does not realize that there are many

[Mr. J. M. Kariki]

of them who buy second-hand cars and then after carrying out a few repairs sell the same cars at the rate of Sh. 1,000 or Sh. 1,500. In that case, Mr. Chairman, Sir, I think that it is quite reasonable for the Government to tax second-hand cars at Sh. 200. There are many people who come even from other countries. Mr. Chairman, Sir, and buy second-hand cars here. Then, when they go back to say, either Tanganyika or Uganda, they sell their car at a higher price. Do you want to tell us that these people should be allowed to come here and get cheaper motor-cars, and that they should not be taxed by the Government?

Mr. Gatunga: Mr. Chairman, I do not have much to add to this subject, but I would like to point out to the Opposition that there is no poor man who buys a car. All the poor people do not buy a car. The whole principle of taxing these cars was to get money for this country, and we had to find out which class of people were to be taxed. We were not going to tax the poor man in the street. We had to tax the people who have the money to buy cars, and there is no question that today in the market you cannot get a car with less than Sh. 2,000 even—a second-hand car—unless it is unroadworthy. So, if somebody can afford to buy a car for Sh. 1,000 or Sh. 2,000, surely he can afford to pay Sh. 200 to the state so that the poor man, who cannot get even bread, will be able to be helped by the Government. Therefore, Mr. Chairman, I see no reason why the Opposition should raise objections to this system of taxation. On the other hand, if there is an objection, they should tell us where we are going to get this money from, because the country needs money—there is no question about this—and we have to get money from this country somehow. The idea is to find out the class of people we are going to tax.

The Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh): Mr. Chairman, the essential point here is that it is a painless way of raising some money. Second-hand cars are very, very cheap indeed in this country. Compared to the prices in other countries, the prices of second-hand cars here are very, very low and, in any case, if a person pays for a car he can certainly afford to pay another £10 for the good of the country. That is one point.

The other is that the tax is not a deduction from the price, as some people seem to suppose. It is an addition to the price. If the car is bought for Sh. 100, the price, with tax, for the buyer is Sh. 350, and even Sh. 350, I would say is not a high price for the worst car in the world.

Mr. Arap Cheptikit: Mr. Chairman, Sir, when considering the taxing of second-hand motor-cars we should speak from experience. With my experience I think second-hand cars can only be taxed—that is, purchase tax—when the insurance has expired, but when the insurance time has not expired we should consider that it should be only transferred, just as happens with the insurance when you are buying a second-hand car. The purchase tax should be transferred in the same way as the insurance is, and when it has expired, then purchase tax should be charged considering the depreciation. This is very difficult and we should be sensible. Instead of charging purchase tax on a second-hand car, it would be better to consider the depreciation and not have the same Sh. 205, Sh. 205, Sh. 205 continuously. If ten people by the same car it means that they will pay almost Sh. 2,000 for the same car. It would be sinful to do such a thing, regardless of whatever you think.

I think we should be wise about two things. When the time of insurance has expired, then the buyer should be allowed to pay purchase tax considering the depreciation, but when the time of insurance has not expired, then the same purchase tax should be transferred in the same way as they do with insurance.

Thank you very much, Mr. Chairman.

Mr. Jahazi: Mr. Chairman, I do not think the Opposition really have any reason for crying about this Sh. 100 tax on second-hand cars. The reason is that the car may have risen by Sh. 1,000 in taxation if it changes hands five times, but I think it is the only way whereby we can tax people without the people themselves feeling the taxation. When somebody wants to buy a car it is not something that he buys without consideration. If you want to buy a car you must feel that you can afford to buy it. You do not just go into a shop as if you are going to buy an item that costs 10 cts, and if it has risen to 20 cts, you cannot afford it and consequently you suffer. A person who wants to buy a car will take a long time preparing for it and so Sh. 200 makes no difference at all. I think that this taxation was imposed in April and many of us bought new cars, but when we bought these cars we did not feel any pain because we just bought them at the prices that were the present market prices and we did not feel that there was such a big difference. I did not feel that I should have bought it last year because it would have cost me so much less. If we can find such things to tax in that way I think that it would be better for the Government to do so. This car tax on second-hand cars is the best way of taxing people and,

[Mr. Jahani]

If anybody wants to buy a car but does not have the extra Sh. 200 to pay for the tax, he should work for a further month or so and earn the money. That would be better than rushing out and buying the car when he cannot afford it. A second-hand car is not a poor man's thing because, actually, when we consider a poor man he is the ordinary African worker and he cannot afford a car, he cannot afford even a bicycle. So anyone who buys a car is a member of the upper class and if you want to get into the upper class you must be prepared to meet all the requirements of the upper class. If you cannot afford to pay the Sh. 200, please do not buy a car. Just ride your bicycle until you can afford the tax.

I think those are definitely the luxuries we must tax and I think if the Opposition is sincere in its opposition they should have made more when textiles and patent medicines were taxed. But they did not feel as concerned about those things as they are about second-hand cars. I think if there is anything to shout about it is the increase on the items which are used by the common man, not the increase on cars.

Thank you.

Mr. G. M. Matso: Mr. Chairman, I personally fail to understand why the Government have even thought of introducing taxation on second-hand cars. I do not know which is more important, a second-hand car or a new car, and when the Government thought it necessary to introduce taxation on second-hand cars I thought that they were being unfair. When we think that it is only now that the African businessmen are beginning to come into the business field and especially in connexion with cars, it is, in my opinion, Mr. Chairman, a way of hindering the African businessman, because, if we look at a place like Nairobi where there are many people who are running cars, we find that most of them who are driving second-hand cars are Africans. That is the way I look at it, Mr. Chairman, and I think that the Government should have taken into serious consideration the fact that Africans—especially during this period of internal self-government—are expecting great things from the Government side. They want to be treated fairly, they want to be given a chance to promote their business and when we introduce such heavy taxes on luxuries like cars which Africans are demanding at this moment, then I feel, Mr. Chairman, that we are putting unnecessary obstacles in the way of African advancement. I would have thought that, instead of introducing this tax on second-hand cars, it would have been better if it

had been imposed on new cars, and even doubted because there are very few Africans—businessmen or workers—who can afford to buy new cars. We feel that it is only now that the Africans are being given a chance to advance, many in the top positions in the Government service as well as in commercial life. Now they are beginning to feel that they must purchase a car and we all know that any person who has never bought a car before will first of all buy a second-hand car, and this tax is, in my opinion, Mr. Chairman, a hindrance to the Africans because he will not find it difficult to purchase. They will find it difficult when they discover that an indirect tax has been imposed.

We are all Africans here and most of us have lived in this country for many years, many of us all our lives, and we know the way the African thinks, the way he looks at things, and I feel that most Africans—as I said earlier—are now looking forward to great things from the Government side, especially during this time of internal self-government. They expected that the Government would be fair, not in every respect, but in certain respects and certainly when it affects the welfare of the Africans, and I thought, Mr. Chairman, that this Bill would not have been imposed by the Government on second-hand cars but rather on new cars. It is now the time for the African to have a chance to enjoy himself, to have a chance to buy a second-hand car if he wants to, so that he could at least enjoy his freedom because we all know very well that in the past there was no time for him to be able to even have a bicycle simply because the wages were so discriminatory and all the fields of business were taken up by the foreigners. Now if you go to many of the garages or car dealers, you will find that the majority of the people there are Africans. So when we introduce new measures such as this one I think we are being unfair.

Thank you, Mr. Chairman.

Mr. Bonnett: Mr. Chairman, Sir, what I want to say is quite simple—we are trying to introduce a measure to bring more revenue to the Government. Either we tax a poor man or we tax a man with money in his pocket and I think it is most unfair of hon. Members in the opposite side to suggest that this purchase tax will hit Africans alone because second-hand cars are used by all races, and they are used by people who have the money to purchase cars. It is our duty to tax people who have money to spend. We could scrap this measure and introduce another measure that may, in the long run, help the poor

[Mr. Bonnett]

people whom we ought to consider. It looks to me, Mr. Chairman, Sir, as if the Members on the opposite side do care for the richer. It has always been my view that the measures that hit the richer people should not be criticized. I think that these Sh. 200 that are paid by the purchaser is quite a fair measure, because no one can go to garage and purchase a car unless he has got extra money to spend and that is the man you must tax. I think that to say that the Africans are being discouraged to buy cars is most untrue because Africans are still buying cars, even after this tax was introduced. They are still buying cars and they will continue to buy cars.

I feel that the only other thing that should have been introduced is that the dealers should also pay a certain amount. I know, from experience, that these car dealers get quite a large profit and they should also contribute. Apart from that, Mr. Chairman, this is a very fair and just measure which will bring in more money which, in turn, will mean more schools and more other social services. We should not forget that these second-hand cars also cause a lot of damage to the roads and, therefore, they should be properly taxed. Mr. Chairman, I beg to support.

Mr. Kamau: Mr. Chairman, I want to inform my hon. Members on the Opposition side that when they say that the Africans are being depressed with the increase in this taxation it is high time they stopped thinking that the Africans always buy second-hand cars. By that I mean to say that from the experience I have, a second-hand car is more expensive than any other car. I would like to advise my African friends not to be encouraged by anybody to carry on buying second-hand cars. I would say that the Government was very wise in introducing this taxation for the one simple reason that a car consumes petrol and the petrol costs money and a second-hand car's rate of consumption of petrol is higher than that in a new car.

I would advise my African friends—on the opposite side as well—that we have a lot of experience in a country like this—where the majority of inhabitants are Africans—we have seen that second-hand clothing is being imported simply because the African always buys second-hand things. With this in mind, you can tell that we are not developing the minds of our people and making them think of appreciating new things. I would say that even if the taxation on second-hand cars were reduced by the same amount you would find that the ordinary man in the street could not buy a car. Cars are bought by the wealthy people and the Government's intention is

to get their revenue from those wealthy people so as to help the ordinary man on the street. I would like the Opposition—if they feel that the Government is unfair in introducing this taxation—to bring forward a constructive suggestion for a place where the Government could get the money without taxing the ordinary man.

For instance, I would like to point out to the Opposition that they know when the Minister for Finance was pointing out the commodities he was going to tax more, he was very wise not to tax commodities such as sugar and other simple items which the ordinary man uses daily. There was not other way for the Government to get the money to operate and develop the country, as this Government is determined to do, other than to introduce such taxes on the rich people. Therefore, I am here to support very strongly the taxation that has been proposed by the Government through the Minister for Finance.

Before I sit down, Mr. Chairman, I would point out to this House that if the Opposition are really determined to see that the African Government will run efficiently they should know when and where to criticize. They should not criticize simply because anything is suggested. If the hon. Member on the opposite side was in the same position as the Government, could he have done likewise? I would therefore advise hon. Members on the Opposition that the intention of this Government is to see that we have sufficient money to develop the country as a whole.

I therefore support very strongly the Sh. 200 purchase tax.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, I beg to move that the question be now put.

(The question, that the question be now put, was put and carried)

(The question was put and carried)

BETTING TAX

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

That the proposals relating to betting tax contained in the Financial Statement for the year of account 1963/64 be approved, subject to their being brought into effect on the 1st July, 1963.

Mr. Chairman, I have proposed that a tax of 5 per cent should be imposed on the stakes of losing bets, and 5 per cent of the winnings of

[The Minister for Finance and Economic Planning]

the individual bettors, when these relate to off-the-course betting. I expect that revenue to the tune of £50,000 will be forthcoming; this is after taking into account payment of 10 per cent of collections from voted provision of the Jockey Club of Kenya. I propose to ask the Jockey Club of Kenya to help us to collect this revenue. The tax will be brought into effect as from the 1st July, 1963. Mr. Chairman, this is a very lucrative business and it is only fair that the Government should again benefit, or rather take a share of the profits.

Mr. Chairman, I beg to move.

(Question proposed)

Mr. Ngala: Mr. Chairman, Sir, I stand to support this Motion. I think that it is the only sensible move that the Minister has made in the Budget. I think it is quite right that the country should benefit from this very profitable occupation, which is very lucrative. I think that it should help our people, especially in the way of development and the economic growth of the country. I would like to ask the Minister to look into similar cases and increase or impose taxation on them, so that the country can benefit more. I am quite prepared to see the Minister himself, privately, and make further suggestions on similar lines.

(The question was put and carried)

ESTATE DUTY

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT the proposals relating to estate duty contained in the Financial Statement for the year of account 1963/64, which became effective on the 12th June, 1963, be approved.

Mr. Chairman, I would remind hon. Members that my proposal on estate duty is that this should be payable on estates valued at £5,000 and over; that the rate of tax should range from 2 per cent of the net value on £5,000 estates to 40 per cent on £2 million estates; small fees will be charged to cover the costs of investigation of estates of which the value is between £500 and £5,000. The proceeds of this tax is estimated at £100,000 for the first year and I intend that they should be paid into the Development Eschequer.

Mr. Chairman, I beg to move.

(Question proposed)

Mr. Ngala: Mr. Chairman, this form of taxation was abolished about two and a half years ago, as I understand. The reason given then was that the Minister felt it brought in very little and there was no use in taxing the dead. I would like to know what has prompted the present Minister to suggest that we should tax the dead. I think people who are dying should have a good farewell, and it is very discourteous of the Minister to tax the dead. I would like to know why this tax has been brought into existence again, in spite of the very strong reasons that we were given two and a half years ago for abolishing the tax.

Secondly, Sir, I would like to know—in the Minister's statement he said that he intended to tax estates over the value of £5,000; how much does he expect to get, or what is his annual estimate which enables him to put it in the Budget? I would say that it is a waste of money, and a waste of time because he will have to employ so many people to see that this taxation is effectively implemented, and the money that he will have to pay to see that this tax is effective is even more than he might collect, and for that reason I think it is a very expensive form of taxation. It should be dropped.

Another point which I would like to put before the Minister is how is he going to assess the properties in the different African districts, areas and townships. We have had the experience of graduated personal tax, and when the Government introduced it they gave beautiful explanations as to how the assessment committees would be formed to give fairness to everybody. But the assessment is done by the Government officials only, and people are suffering very much in regard to personal tax. I would like to know at the beginning what steps have been taken to see that the assessment is fairly done so that there are no complaints from the people who suffered by the personal tax. So, Mr. Chairman, Sir, I think that this tax should be dropped altogether as being completely unnecessary and would be very kind to the dead and not touch their property at all.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, it is unfortunate that the Leader of the Opposition never reads all the documents, but I fail to see how he is going to assist people who follow behind him. This is what I said, when I made my Budget Speech, and I quote: "One of the main reasons why the tax was lifted in 1959 was because it was hoped that funds would be attracted

[The Minister for Finance and Economic Planning]

from large estates in the United Kingdom for investment in Kenya. In practice the lifting of estate duty did not have much visible effect on investments and the main reason for the exemption was removed—notice this, "—was removed when last year legislation was introduced in the United Kingdom under which immovable property, wherever situated, of persons dying domiciled in the United Kingdom was made liable to United Kingdom duty. It has also been recommended in the report of the World Bank Mission on the economic development of Kenya that this estate duty should be reimposed, Estate persons dying after midnight on the 11th June." The thing is this, I am following the recommendations of the Economic Commission, which the hon. Member opposite accepted when he was a very important person in the Coalition Government. Therefore, the method of assessment will definitely be fair. You will remember that I said you cannot put the revenue accruing from this into our General Recurrent Account, because we do not expect that people will be dying every day, but we feel whatever we get out of this, and for this year I estimate about £100,000, will go into our Development Account. I can assure the hon. Member that the method of assessment will be fair, fairer than the one he had been following when he was in the Government.

(The question was put and carried)

INCOME TAX

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT the proposals relating to income tax contained in the Financial Statement for the year of account 1963/64, be approved.

I would like to point out, Mr. Chairman, Sir, that the measures proposed here are fully set out in the Financial Statement, and all the points that were raised during the debate in the House have been covered in my reply, and I do not feel that I have anything else to add.

I beg to move.

(Question proposed)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move that the Committee doth report to the whole

House its consideration of these Resolutions and the approval of the same without amendment.

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORTS**CUSTOMS DUTIES**

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of Ways and Means has considered that the proposals relating to customs duties contained in the Financial Statement for the year of account 1963/64 be approved, and the same has been approved without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

PURCHASE TAX ON SECOND-HAND MOTOR VEHICLES

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of Ways and Means has considered that the proposal relating to purchase tax on the purchase of second-hand motor vehicles contained in the Financial Statement of the year of account 1963/64, which became effective at midnight on the 16th/17th April, 1963, be approved, and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

BETTING TAX

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of Ways and Means has considered the proposals relating to betting

[Mr. De Souza]

tax contained in the Financial Statement for the year of account 1963/64 be approved, subject to their being brought into effect on the 1st July, 1963, and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

ESTATE DUTY

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of Ways and Means has considered that the proposals relating to estate duty contained in the Financial Statement for the year of account 1963/64, which became effective on the 12th June, 1963, be approved, and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

INCOME TAX

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of Ways and Means has considered the proposals relating to Income Tax contained in the Financial Statement for the year of account 1963/1964 be approved, and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

BILLS

First Readings

The Finance Bill

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time Tomorrow)

The Betting Tax Bill

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

The Estate Duty Bill

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

The Kenya Cultural Centre (Amendment) Bill
(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

The Isaac Okwirry Pension Bill

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

The Pensions (Amendment) Bill

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

BILLS

Second Readings

THE SECOND-HAND MOTOR VEHICLES PURCHASE TAX BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Second-hand Motor Vehicles Purchase Tax Bill be read a Second Time.

Mr. Speaker, Sir, since this matter has been discussed fully in this House I do not think there is anything that I should add. I beg to move that the Bill be read a Second Time.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

Mr. Alexander: Mr. Speaker, Sir, two points. The first is in connexion with clauses 4 and 5. As I understand it, in the case of those conducting a hire purchase business the payment of the tax

[Mr. Alexander]

is not assessable until the ownership of the vehicle passes. However, there are situations where in fact dealers do conduct a hire purchase business as well in conjunction with their dealings, and in those circumstances would the Minister explain the conflict, or how we are going to deal with the conflict, between clauses 4 and 5 of the Bill.

The second point, Mr. Speaker, that I would like to come back to—it was raised by an hon. Member on that side—is the accumulative effect of the tax. He raised the case of situations where a vehicle may pass hands many times in its life. According to my reading of this Bill each time the vehicle passes hands there is a tax of Sh. 200. Now, one golden rule, one first principle, is that taxation should never cease to establish this cumulative principle and I wonder whether the Minister could give us an assurance—I do not ask for any more than that today—that this particular problem will be considered sympathetically by the Government as I can see a situation where a most unfortunate inflationary tendency could be introduced by a measure of this kind and it may be taken as a precedent for other measures. There is written into this Bill, in fact the condoning of inflationary tendencies which I do not think was the intention of the Government that this Sh. 200 really should be paid on every change of hands of the same vehicle, and I am wondering whether they would be prepared to look at this again.

The Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, the hon. Minister will answer for the Government and I am only expressing my own views.

As regards the cumulative effect there is nothing new here. We see it every day. A house changes hands many times and every time the purchaser has to pay the duty on transfer, and that is 2 per cent of the value. If a house is sold today for Sh. 50,000 £50 will have to be paid. If it is sold next year again, and should it be at a higher price, then a higher stamp duty has to be paid. This goes on over and over again. The tax is applied to the transfer of ownership. Of course, in this connection the effect cannot be very serious on the economy, nothing like the effect that occurs on the change of ownership in regard to landed property. Here, the amount involved will be very, very small. I do not think we need to worry about the cumulative effect. Naturally, in principle, this means that whenever there is a change in ownership there is a new tax payable. If there is a dealer in motor vehicles who sells a motor vehicle to a finance company

there is a change of ownership: he pays £10: and again when the finance company transfers the ownership to another purchaser the new purchaser will have to pay again. I do not know what the real intention of the Government is; perhaps the Minister will explain.

From the common sense point of view I do not see any harm or conflict there since it is not the same person who is paying the tax twice. It is a different person every time and that is quite sound in principle.

Mr. Ole Tips: Mr. Speaker, Sir, this Bill before the House, I maintain, is going to hit the majority of our people in this country. Firstly, we have the small African trader who, through no fault of his own, cannot afford to buy a new car like my friends opposite and he is interested in trying to get a motor vehicle to transport his goods, his farm produce, in order to expand his business.

Taxation of this nature, I believe, should be avoided at all costs because instead of encouraging these small farmers, these small business men, who can hardly make both ends meet, we are rather discouraging them.

For those who have had the experience of buying and running a second-hand vehicle there is no doubt at all that to buy a second-hand vehicle is really a very expensive hobby. In the first place, when you buy it you have got to meet heavy garage bills for various repairs throughout. I should have thought that this should be weighed up completely.

The hon. Parliamentary Secretary did mention that when a house is sold or transferred to a different owner, then naturally the purchaser or transferee pays the transfer duty. He went to the extent of quoting, if I heard him correctly, something like 2 per cent. The Bill, as shown here in the Schedule, states a motor vehicle with not less than four wheels: Sh. 200 is the tax. I should have thought it would have been fairer, Mr. Speaker, Sir, if it was necessary at all, to impose a token tax, to tax on the face value of the vehicle on a percentage basis, because if you charge Sh. 200 for a vehicle valued at, say, £700 and at the same time you charge Sh. 200 for a small car worth only £60 or £70, this is not fair. It mentions here a four-wheel vehicle. We have some of these Anglias running, some of the old, involved will be very, very small. I do not think we need to worry about the cumulative effect. Naturally, in principle, this means that whenever there is a change in ownership there is a new tax payable. If there is a dealer in motor vehicles who sells a motor vehicle to a finance company

I think, Sir, that if the Minister would reconsider this Bill and at least reduce the tax, that

[Mr. Ole Tipik] would help us greatly, and I believe he will consider this. I can hear him saying no, but I am requesting him to think kindly of the poor chaps, the people who are going to be hit hard. I know my friend is not worried, nor am I worried, because he has got a beautiful new car, but I am worried about the small farmer who wants to sell his produce, potatoes, beans, cabbages and carrots, to the nearest marketing place, and he wants something at least, not an ox wagon, but a small vehicle, which could move faster to the market.

With these words, Mr. Speaker, I beg to oppose this Bill.

Mr. Ngala: Mr. Speaker, Sir, I beg to oppose this Bill, too. I do not know how one can be constructive to this Government, Sir, but I think we have explained beyond any doubt that the principle on which the Bill is based is wrong, because one second-hand car bought at Mombasa and the same one sold here or there would have a tax accumulating on it several times to an immeasurable extent during the life of the car. I feel, Sir, this is a very wrong principle on which the Minister should base his taxation.

One speaker at least from the Government side has given a very sensible approach to the whole problem, in which he has suggested that there should be some consideration of the depreciation of the car concerned, so that the sum is not just fixed at Sh. 200 and where the car has a lower value some consideration is given on the figure which should be charged to the buyer.

The Government is going for a short cut, for an easy way of trying to get Sh. 200 from the buyer, and it does not matter what happens to the buyer, it does not matter what the buyer feels about it, and I think this is quite wrong in applying our taxation measures.

Sir, I think the Minister should first consider the principle and, secondly, he should consider possibilities of varying the prices. Some people have said that there are no cars valued at Sh. 500, Sh. 600 or Sh. 700. I have seen some such cars around here in Nairobi, and people buy them. I believe to pay a tax of Sh. 200 on such cars—the proportion of taxation as against the value of the car—is very unfair. I hope the Minister will consider this. There is a wrong impression from the Government side, Sir, only the rich people buy cars, but I think this is not true. I have known some people who, although drivers, are unemployed since there is so much unemployment in the country, and they try and buy a cheap car to help themselves, because they know how to drive. These people are not rich, but they buy the

car so that they can earn their daily livelihood. When they are faced with this taxation, they really find it very difficult to get this extra Sh. 200. One speaker on the Government side said that if you buy a car you must have considered it and kept some money in reserve to be able to pay, but there are some poor people who go out to buy a car and they are not taking it as a luxury, they are taking it as a means of helping their family, their children, because there is no employment for them; because they know how to drive they want to buy a cheap car and help their family. The Government should consider this sort of case. The car is not a luxury, but is to assist the people who depend on that particular father or parent. I feel it is quite unfair to impose this taxation of Sh. 200, regardless of the value of the car and regardless of the person who is purchasing the car.

The other point, Sir, is that I would like the Minister to explain why he cannot drop this Bill, because I think he can make up revenue in ways other than bringing about this form of taxation. Is it the purpose of the Bill just to discourage people from buying second-hand cars, or is it to get revenue for the country? I think the purpose of this Bill is more to discourage people who wish to buy second-hand cars. If this is the attitude of the Minister and the Government I think this Bill should be dropped and should be brought to an end, because it is not an exercise for bringing in revenue, but rather an exercise for discouraging people who would like to buy second-hand cars. Most of the people who like to buy second-hand cars are poor people, and I think the taxation of Sh. 200 on each is quite unfair.

Some people have said that second-hand cars are very expensive. I agree they are very, very expensive and that is why they should not be taxed this extra Sh. 200. They consume more petrol and the Minister has already raised the tax on petrol very much and he should have thought of that and helped those people who are going to buy second-hand cars. Many of them are quite poor and have to maintain their own families and, as he has already put up the taxation on petrol, I think this Bill is completely unnecessary. Therefore, Sir, we certainly reject this Bill as being completely inappropriate at this stage.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I would like to clear up one or two points.

The Speaker (Mr. Slade): There is one point I would like to clear first. This being a Bill for taxation I should have asked for the consent of

transferred we take £10 would be very fair and much easier to collect.

Mr. De Souza: Mr. Speaker, Sir, I had the opportunity of listening to a very interesting debate on this particular subject a few minutes ago, but, unfortunately, sitting in the Chair, I could not take part in it myself. So I will say a few words on why I think that this tax is a fairly reasonable one. After all, there are no taxes that are popular. Everyone dislikes the new taxes that are imposed, but money has to be found for the extra expenses that are being incurred in this country and when one is going to find a new tax I suggest that it should be a tax imposed on the richer sections of the community rather than on the poorer sections. It is commonly known that motor-cars are commonly bought and owned by the richer sections of the community rather than by the poorer sections of the community. An hon. Member has suggested that motor-cars are bought by a poor man to take his bag of potatoes to the market. I think that is a slight exaggeration of the position. If every man who wanted to take a bag of potatoes to the market wanted to buy a car first then, I think, his bag of potatoes must be very expensive indeed. The hon. Leader of the Opposition said that motor-cars are bought by poor persons, unemployed persons such as drivers, so that they can make a living for their families. Sir, a normal way of making a living for a family through a car is to own a taxi or a bus or a lorry with a carrier's licence and I suggest that one of the best returns must cost at least Sh. 1,000. Now if a person or a driver is able to raise Sh. 10,000 to buy a car which is going to be a good taxi, a lorry, or a bus, then, I am sure, he can raise the extra Sh. 200 that this country so badly needs. If, on the other hand, my hon. friend, the Leader of the Opposition, is referring to the pirate taxis that go around Nairobi, then I am sure he knows as much as I do that these sometimes constitute a grave danger to the public because they are so defective in their mechanism and usually have no brakes and no clutches and many other things and that they are a constant danger to the public; the traffic columns of this country are full of such vehicles that are run on the road and should in fact never be on the road at all.

The other point, Sir, that was made is that this is an accumulative tax. The same car can pay Sh. 1,000 or Sh. 2,000 tax if the same car is bought or sold ten or twenty times. Well, with respect, it is not the car which pays the tax, it is the person that buys the car that pays the tax and if one person has the money to buy ten cars a year, either at the same time or in succession,

[The Speaker] the Governor, to be signified by a Minister before the debate commenced. I take it the consent of the Governor has been signified by yourself.

The Minister for Finance and Economic Planning (Mr. Gichuru): Yes, Sir.

The Speaker (Mr. Slade): Then say what it is you wish to say.

The Minister for Finance and Economic Planning (Mr. Gichuru): I just wanted to explain away the misconception that has been brought forward by the Leader of the Opposition. He is talking as if he never knew anything about this Bill. He was there on the 16th April at five o'clock at Government House when this was discussed and agreed upon. Therefore he ought to say that he is having second thoughts on it. The principle on which he is—

Mr. Muliro: On a point of order, Mr. Speaker. Is the Minister entitled to reveal Government secrets which were carried out during the past year?

The Speaker (Mr. Slade): It is not exactly a point of order to question the confidential information being disclosed by Ministers. That is a matter for the discipline within the Government; it is not my concern.

The Minister for Finance and Economic Planning (Mr. Gichuru): I am not revealing any secrets. I am only saying that this matter was passed by the Cabinet. It is common sense, everybody knows that these measures are passed by the Cabinet and to say that you were there is not revealing any secrets. There are also a lot of other things that we discussed.

Mr. Ngala: Mr. Speaker, Sir, is the Minister in order to suggest that anything passed by the Cabinet cannot be challenged by this House or discussed in this House?

The Speaker (Mr. Slade): I do not think that the Minister is suggesting that really. It would certainly be wrong to suggest that, but I think he is only saying that having been party to this decision you should not pretend not to know about it now.

The Minister for Finance and Economic Planning (Mr. Gichuru): Thank you very much, Mr. Speaker. I would like also to explain that the method of taxing this House would be very difficult if we were to take a small car, a bus, a lorry and so on, it would be very expensive and complicated and the expenses themselves would probably be more than the tax that might be collected and that is why we thought that to have a tax of this nature where every time the car is

[Mr. De Souza]

then I think he must have the money to pay ten times Sh. 200; that is Sh. 2,000. In my submission, Sir, it is quite ridiculous to believe that an average person buys five or ten cars a year. In fact, this is a very correct and very legitimate way to get revenue for the country.

The last point that I want to raise is in connection with what the hon. National Member, Mr. Alexander, said about there being some inconsistency between clause 4 and 5 of this Bill. Well, I have studied this Bill quite carefully and I see no inconsistency at all. I hope he is listening to me because I think that this point might interest him. Clause 4 says: "Where a person who has been registered with the Controller of Revenue for the purposes of detection, carrying on the business of buying and selling motor vehicles, buys a second-hand motor vehicle in the course of that trade for the purpose only of resale other than resale by way of hire purchase, purchase tax shall not be payable in respect of that purchase." Now the reason it says "other than resale by way of hire purchase" is because clause 5 quite clearly caters for that. It says: "When a person carrying on a hire purchase buys a motor vehicle and then hires it to another person on a hire purchase agreement then, if that other person buys the vehicle in exercise of the option contained in the hire purchase agreement, purchase tax shall not be payable from that other person in respect of that purchase." In other words, both the person who buys the car on hire purchase and the person who is a dealer in second-hand motor-cars do not pay purchase tax on this car. That, I think, clears that particular misconception.

I beg to support, Sir.

Mr. Malhotr Mr. Speaker, Sir, I think this Bill is going to harm the Africans more than anyone else. Many of the Africans who are now carrying on business, and a number of them who want to buy vehicles, have not the money to buy a new vehicle and therefore they go in for the purchase of second-hand vehicles. I think the purchase tax should only be applicable to new vehicles and not to second-hand vehicles because this is denying the Africans, who have limited funds for the purchase of a vehicle, from owning a vehicle. I am told and I have seen quite a number of Africans complain that this is going to hit them more than the rest of the people. I find that when a man wants to buy a vehicle he definitely needs the vehicle. It is not a luxury as the hon. Deputy Speaker said. A vehicle today is a necessity; these people do not buy vehicles because they want them to decorate their homes, they buy vehicles because they find that they are essential. I do not

think the essentials of modern life should only be confined to the richer sections of our community. We want these essentials to be also shared by our poorer sections, and the poorer sections can only afford to buy a second-hand vehicle. Therefore, this purchase tax is going to hit the poorer groups of our community whose standards of living we want to raise. Yet, at the same time, we are trying to lower their standards of living by taxing them through indirect taxation.

With these few remarks, Sir, I beg to oppose the Bill.

Mr. Godia: Mr. Speaker, Sir, I understand that the Budget was prepared in consultation with the recommendations of the Fiscal Commission. That is the reason why we have certain items which the Members of the Opposition have recommended to be considered. One of the Bills is this which is being opposed at the moment by the Opposition. I think we have several times asked the Opposition to co-operate with us in trying to consider constructively the ways and means of getting the money which the country needs so badly. There is no other way in which the financial position can be improved to satisfy our needs. So it is not a bad thing that we have this Bill here to help us to get the money which this country needs. Many people deal with second-hand cars—many of them, of course, are dealing with new cars—and there is no doubt that people buy these cars. The Opposition is trying to oppose the Bill because they want to make the work of the Government harder and, at the same time, they want Government to give them the money to run this, that and the other. Therefore, Mr. Speaker, I feel that this Bill should be passed by this House and I call on the Opposition to help us, by co-operating to get this Bill through. The suggestion from the Leader of the Opposition that the taxation of these second-hand motor vehicles ought to be in proportion could be considered but the mere opposition of it is no good. Therefore, Mr. Speaker, I beg to support the Bill.

Mr. Masabale Mr. Speaker, Sir, with regard to this Bill I think the Government has been unrealistic to increase this tax by Sh. 200, which I feel is a great amount. It would have been better if the Government had considered something like Sh. 5 or Sh. 10, that would have given them something. If the Government wants to tax something, they have first of all to consider what is the most popular thing to be taxed. An average African can only afford a second-hand car and then the Minister for Finance decides to levy this tax on second-hand cars and he increases the tax to Sh. 200. This is not proportional at all.

(The Debate continues)

[Mr. Masabale]

These second-hand cars can be put into three or four grades. Will the Minister for Finance tell us what is the proportion between a first-grade second-hand car and a third-grade second-hand car. It means that the people who buy cars will not buy second-hand cars and the trade will not be promoted at all and that part of population which is the majority will not be given anything at all.

I think Mr. Speaker, Sir, that hon. Members on the Government side have suggested that poor-cars are luxuries. I do not think that is true. Motor vehicles are a necessity to every person in this country. You will find that an old woman carrying cabbages from Kimbu would need motor transport and for that matter a lot of people in this country need transport. Now if this old woman had the money to afford a second-hand car—with only Sh. 5 on top as a purchase tax—she would do so. I think the jump from Sh. 5 to Sh. 200 is very unrealistic.

With these remarks, Mr. Speaker, I beg to oppose the Motion.

Mr. Ngala-Aboki: Mr. Speaker, Sir, I rise to support the Bill. We have not been told the reason why if a tax of Sh. 200 were raised as a purchase tax, it would be a burden on the poor man. Why should a poor man want to go and buy a car? If a person wants to buy a car he should know that he has to have some extra money to maintain that car. If this person does not have any extra money then I am sure he is not going to be able to maintain his car. This person cannot bother to go and work for it. To say that it is going to harm the ordinary man in the street, who is namely an African, is all wrong. If I knew that it was going to harm me—as an ordinary man—and I did not have the money, how would I go and buy the car? How would I be prepared to go and buy the car? A man that goes and buys something is a man that can maintain it, and the ordinary man in the street usually uses a bicycle on his own feet, he goes about on foot and he does his business as usual.

This tax was proposed as a means of raising money for the Government and not as a means of harming anybody. All those people who want to buy cars and come forward to buy cars will be the people who will be forced to pay this purchase tax and they will be the people who will have the money to pay it; they will not be those who do not have the money. If one does not have the money and if one is poor how can one buy a car?

Second-hand cars are very expensive and it is not so telling anybody, and deceiving anyone, to go and buy a second-hand car. Because you buy

a second-hand car today and tomorrow you have to send it into the garage and you want petrol and you just cannot afford it if you haven't got the money. We should not encourage the people we know are poor to go and buy these second-hand cars because we are merely placing them in trouble. They might not be able to get themselves out of this trouble either and the next day they will send their cars back because they cannot use them. A man who wants these troubles can buy one of these cars but he will find this purchase tax also included.

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

Mr. Gutuguta: Mr. Speaker, Sir, I think we ought to be aware one thing in mind when dealing with this Bill and that is that it is not right to say that this Bill is going to hit the Africans more. Less than 5 per cent of the Africans buy motor-cars; 95 per cent of our people cannot buy motor-cars and they are the people we are concerned with because we want to provide them with hospitals, education and many other social services. We have to get the revenue to help those people. We are concerned with the majority of our people who require these services and it is very necessary that we tax this 5 per cent of the wealthy Africans and the rest of the community who can afford to provide money for these services.

The Opposition is speaking, Mr. Speaker, as if we were trying to introduce measures to oppress the people. On the contrary, we are trying to introduce measures that are going to help those people, the poor ones. You say, of course, say that Africans have not got all that much money to be taxed, but you must remember that the average African who can afford a second-hand car is an employed person who earns not less than £50 a month. I know that. No African who does not get about £50 per month can afford a car. The rest of the people who buy these vehicles are businessmen who have the incomes that enable them to afford to buy these vehicles. It is fair that they should be taxed to provide social services for the poor people.

The other argument I would advance, Mr. Speaker, Sir, on this Bill is that this is a step towards us introducing indirect taxation. I think it is necessary—and I hope the Finance Minister will consider this—that indirect taxation should be introduced in this country. In the most advanced countries in the world this form of taxation exists. One does not feel that one is being taxed with this indirect taxation, one feels psychologically that one is buying a vehicle which one needs. It might be necessary, Mr. Speaker, Sir,

[Mr. Gatunga]

to introduce indirect taxation in the future in all forms and eliminate the direct taxation which we have today. We have so many taxes today, African district council rates, personal tax and income tax; these taxes are not necessary. They exist normally in primitive countries. If you look round the world you will see that most of the civilized countries in the world have this form of taxation, that is indirect taxation. We can also have this form of taxation and I think this is a step towards that. We are advancing slowly until such time that we can eliminate all other forms of direct taxation.

Mr. Speaker, Sir, let the Opposition not feel that they are championing the rights of the people by opposing this Bill; they are not. On the contrary, they are trying to champion the rights of 5 per cent of the population of this country and they are ignoring the rest of the 95 per cent who cannot even get bread and butter to feed themselves and cannot afford medical fees and school fees. These are the people we are thinking of and we want the money to help those people.

Mr. Speaker, Sir, I support the Bill.

Mr. Gachago: Mr. Speaker, Sir, the consideration here is whether the purchase of a motor vehicle is a luxury or a necessity. In ordinary circumstances in this country, a motor vehicle is a sheer luxury. When a person stands up in this House and says that motor vehicles are purchased by poor people and that by introducing this Bill we, the Government, are oppressing the poor people, one cannot understand exactly what is meant. When we consider what a second-hand motor vehicle is we realize that there is a very wide range of such motor vehicles.

[The Speaker (Mr. Slade) left the Chair]
[The Deputy Speaker (Mr. De Souza) took the Chair]

I recently bought a second-hand motor vehicle which had only travelled a few thousand miles and it cost me over £600. Now, is it a logical argument for the Opposition to say that when a motor vehicle costs up to £600 it can be purchased and is only purchased by a poor person?

Mr. Deputy Speaker, Sir, in the early stages of the Budget Debate the loudest cry from the Opposition benches was "Where is the money for this?" and "Where is the money for that?" They wanted to know why the Minister for Finance and Economic Planning had not provided for certain services. Yet, in this House today, we hear hon. Members of the Opposition opposing the very measures that are going to provide revenue for the services they were crying for only last week. What is the point of these arguments?

Mr. Deputy Speaker, Sir, it might be the attitude that my friend, the Member for Kitryu, mentioned. They are always trying to be on the defensive for the minority. Of course, the Opposition would adopt that attitude because they are, themselves, a minority, but it is not necessary that they should always support the minority simply because they are the minority in this House. We are here to view and consider Bills, and all other business that comes into this House, in the interests of the majority of the population of this country. It is going to be very difficult for this House if Members of the Opposition come forward and waste time with considerations that affect the very negligible minorities that might be affected by a Bill like this.

There has been a suggestion that this Bill is going to tax the poor. Taxation is not only for the poor, Mr. Speaker, nor-for the rich, taxation is for the able. What we need to differentiate between here is who is the able person and who is not the able person. The question is not who is the rich person and who is the poor person, the consideration is who is the able person to pay the tax involved. Any person who can afford to purchase a motor vehicle—and I am talking not only of the motor vehicle with a value of Sh. 2,000 or Sh. 3,000 but also of those costing up to Sh. 15,000—is not a poor person.

Mr. Deputy Speaker, Sir, when the Opposition was crying that the Minister for Finance should provide for a number of services, and a number of things they thought were not provided for, they came forward with very few or no views at all, as to how revenue could be raised for these services. As they had no constructive suggestions as to how the revenue could be raised for these services, for which they were agitating, I thought they would extend their congratulations to the Minister for Finance and Economic Planning for being able to tap this source of revenue that has remained untapped for such a long time. It was for the purpose of raising revenue that the Minister introduced this Bill, not only for the people that the Government represent, but, also, for those people whom the Opposition represent. Instead of all those Members of the Opposition standing to oppose this Bill, I suggest that they think in terms of the country as a whole, and not the very negligible minorities. They should consider whether the people who are hit by this Bill are the majority or the minority, and if it is for the general good of the country, I call, therefore, upon the hon. Members of the Opposition to be more realistic and to think on a broader basis, not to confine their arguments and their reasons only to the very small minorities.

Mr. Murali: Mr. Deputy Speaker, we have had two suggestions from the Government. The first was that they were going to put a tax on second-hand motor vehicles, so as to increase the revenue of the country. The revenue of the country will help the majority of the people.

I have also had another suggestion that second-hand cars are not

QUORUM

Mr. Nee: On a point of order, Mr. Deputy Speaker, Sir, I wonder whether we are really getting anywhere, because we do not have a quorum; a quorum of this House is twenty Members and it seems to me that there are less than twenty Members here at the moment.

The Deputy Speaker (Mr. De Souza): There is no quorum; ring the Division Bell.

(The Division Bell was rung)

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

The Speaker (Mr. Slade): We have a quorum now, you may proceed, Mr. Murali.

(Resumption of Debate)

Mr. Murali: Thank you very much, Mr. Speaker. If the Government feels that the buying of second-hand cars should be discouraged, how are they going to obtain revenue? The contention is that a lot of money is wasted, because after one has bought a second-hand car it has to be taken back to the garage within a very short time. So a tax has been put on second-hand cars. Was this tax put on second-hand cars in order to discourage people owning cars? Was it to increase the revenue of the country? These are questions that I would like the Minister for Finance to answer. I also feel that the tax itself is a bit too much because second-hand cars vary in their mechanical condition and a flat rate like that is not a suitable tax. As one hon. Member said, only five per cent of the African population own cars, or second-hand cars. I must assure him that this percentage will drop considerably as a result of this tax. We, on this side, want second-hand cars to be untaxed so that more so-called poor people, or poor Africans, could own cars, or second-hand cars, and after that they would be encouraged to buy new cars. The tax should be imposed on new cars and not on second-hand cars. We shall not be surprised when the Minister for Finance tells us that no revenue has been found from the second-hand cars, because no one is going to buy them after the Government has put this heavy tax on them.

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

Mr. Ngeli: Mr. Speaker, Sir, we have heard several times from the Government side that we do not see things as they come, but I think that this is a case where the Government ought really to support the Opposition by seeing that most of the second-hand cars are bought by the Africans. This is a case of draining an already drained person; going to the very person who has been drained. This is a case which is similar to when some of the goods that are most used by the Africans are put up, and yet the pay, or the wages of the Africans remain at the same level. It is exactly the same case, when petrol is put up, and the workers in the petroleum companies remain as they are. It is a case of their pay. We are human beings—we know this very well, it is nature—and we want a change. What is going to happen if this purchase tax Bill is passed? I will tell you what will happen; we will keep our old cars, use them until they are completely finished, and then there will be no market for new ones. The Africans outside are not as privileged as we are here in the House. They do not get a three-year loan for cars like we get, and of course, they would very much like to move with the times. They can do that by buying second-hand cars, because they will not be able to afford new ones. Therefore, I am wondering, Mr. Speaker, where the Government is leading us. Where are they leading the ordinary man? It seems as if instead of buying second-hand cars, the African will have to be content with bicycles, and this is not the time of bicycles. They also would like to enjoy, and have the privilege of owning a car, and I think putting up the purchase tax to Sh. 200 is another way of draining an already drained person.

Thank you very much, Mr. Speaker.

The Speaker (Mr. Slade): I think we are getting to repetition now, if any hon. Member has anything fresh to say, let him speak, but I do not want repetition of what we have already heard.

Mr. Omas: Mr. Speaker, Sir, I rise to oppose the taxation Bill on second-hand vehicles. My reasons for doing this are: it seems that the Government thinks that those people who buy second-hand cars are rich. In fact, these people are not rich, especially the Africans. In many cases they do not pay cash for their second-hand or new cars; they buy them on an instalment basis of over two or three years. In many cases, some of the buyers of second-hand or new cars, fail to pay their monthly instalments regularly and, consequently, these cars are confiscated by the sellers.

[Mr. Omar]

Now, understand, Sir, that some of the Government Members have bought new cars on an instalment basis; they are unable to pay cash for them. If the hon. Members in this House, who are earning perhaps more money than some of the civil servants and businessmen, cannot pay cash; how do they expect an ordinary African businessman or an African civil servant, who is not well paid, to be in a position to buy a car, and at the same time to find the money to pay the taxation on it? This Bill is, I think, Mr. Speaker, not fair. It is going to hit the Africans. The time has not come when such a Bill should be introduced. My suggestion, Mr. Speaker, is that the sellers should be taxed, and not the buyers, because it is the sellers who are making money. Therefore, it would be proper and right for them to be taxed and not the purchasers who are very poor.

With these few remarks, Mr. Speaker, I strongly oppose this taxation Ordinance.

Mr. Bonnett Mr. Speaker, Sir, I beg to move that the Mover be called upon to reply.

The Speaker (Mr. Slade): I think that it is quite in order, at this stage of the debate. As I say, we have had quite a lot of repetition.

(The question that the Mover be now called upon to reply was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Thank you, Mr. Speaker, Sir. I think that my colleagues on this side have ably answered most of the statements that were made by Members of the Opposition against this Bill, and therefore it is not much use my going over them again. However, there is one point which should be mentioned. Many of the Opposition Members have talked about the tax being directed on to the poor Africans, and also I notice that when the Deputy Leader of the Opposition came into the House, he found that his pet subject was being discussed, and he was at once on his feet, and said that the ordinary man in the street was being hit hard. However, as a matter of fact this is not the case. What is really happening is that this tax is being raised to follow the rise in customs duties on new cars which was already effective, and there was a rise by 10 per cent to 15 per cent on new cars. The hon. Mr. Muliro made this statement and said that new cars should be taxed. Well, the tax on new cars is already in operation.

Now, the reason for this second-hand motor vehicle purchase tax is that the Government is simply moving in an order to cream a little of what otherwise would have gone to the dealers. It would have been the profit that the dealers

would have made. Those who say that this tax is against the Africans, I am sure did not see this point, that this tax on second-hand vehicles was introduced because the value on second-hand vehicles had already risen, following the rise in customs duty on new cars. So, if the Government had not stepped in and taken a little of the profits, all the profit would have gone to the car dealers. The Africans that the Opposition are trying to fight for, would not have benefited at all.

Mr. Neel: What about income tax?

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): I am not talking about about income tax now. In any case the argument that the tax is hitting the Africans hard is not valid, in that in this case if the Government had not stepped in, the dealers in second-hand cars, would have enjoyed all the profits, and the Africans would still have suffered. I think this is a point which the Opposition, Mr. Speaker, stressed very hard, and it seems to me that that was a point which was overlooked, and I felt it was necessary to point it out. It was also mentioned that in this way not many second-hand cars would be bought. As a matter of fact the opposite is the case. Since this tax was introduced, between 17th April to 15th June, 2,000 cars have changed hands, so in other words that argument cannot hold water.

With these arguments, Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

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

THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Customs Tariff (Amendment) Bill be read a Second Time.

The Speaker (Mr. Slade): This Bill, also being one of the imposition of tax of a kind, requires the consent of the Governor signified by a Minister before we can proceed. Have you got a Minister to do that for us?

An Hon. Member: No Ministers, where are they?

The Speaker (Mr. Slade): Order, order, I am afraid we cannot proceed with this today.

ADJOURNMENT

The Speaker (Mr. Slade): That is the only remaining business on the Order Paper. Council is now adjourned until Tuesday, 2nd July, at 2.30 p.m.

The House rose at fifteen minutes past eleven o'clock.

Tuesday, 2nd July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

COMMUNICATIONS FROM THE CHAIR

CONSIDERED RULING ON A POINT OF ORDER

The Speaker (Mr. Slade): Hon. Members, I have to give a ruling on a point of Order concerning substantiations of allegations which was raised by Mr. De Souza last Thursday.

Standing Order 66 provides that a Member shall be responsible for the accuracy of any case which he alleges to be true, and may be required to substantiate any such facts, or to withdraw his allegations.

The importance of the principle stated by that Standing Order must be obvious to all hon. Members, but its application to particular circumstances sometimes raises very difficult questions. For instance, I have often had to rule that an allegation is too vague or too general to be capable of substantiation. Again, what appears to be an allegation of fact may, on examination, prove to be no more than a deduction or opinion based on other facts already known to the House, in which case further substantiation is impossible, and the House must be left to judge for itself the justification of that deduction or opinion.

Also, on many occasions in the former Legislative Council, I have explained that substantiation is not the same as conclusive proof. A Member required to substantiate an allegation need do no more than state the evidence upon which he relies. It may be no more than a newspaper report, or other hearsay, second or even third-hand; but if he is not prepared to withdraw the allegation, he must state the nature of his evidence for what it is worth, and the House can then judge for itself the value of such evidence, and perhaps even more important, the responsibility of the Member concerned.

The Standing Order refers only to fact, and does not deal with suspicion or rumours. Yet allegations of suspicion or rumour can be as damaging as allegations of fact. Therefore, hon. Members will not normally be allowed to allege even suspicion without disclosing, for the House to judge, their grounds of suspicion; nor should rumour be mentioned for any purpose other than seeking its confirmation or repudiation.

The question raised by Mr. De Souza was whether the Government, when answering a challenge of its conduct by making allegations

against individuals concerned, must always substantiate those allegations, even if they cannot afford, in the public interest, to disclose at that stage the evidence on which they rely. That is a new point, with which I have not had to deal before; and on which I cannot find any authority elsewhere. It is important, and I am grateful to Mr. De Souza for having raised it.

My ruling is that whenever the Government finds it absolutely necessary to justify its conduct by making allegations against an individual without substantiation, it will be in order for a Minister—but not for anyone of lesser rank—to allege suspicion of that individual's activities, coupled with a statement that public interest precludes disclosure of the grounds for such suspicion at that stage. That qualification of what I have said previously is, I think, essential, if the Government is to answer for its conduct without always being obliged to disclose immediately matters which, in the interests of the State, are better not then disclosed.

But this qualification is strict. In the first place, it applies only to allegations of suspicion, not allegations of fact. Facts must never be alleged, by Government any more than by others, unless they can be substantiated.

In the second place, the Government, being trusted to decide whether it is absolutely necessary to make allegations of suspicion without disclosing any grounds, must respect that trust, and never abuse it.

In the third place, this responsibility being so great, it must be restricted to Ministers, and not extended to their subordinates. It is, and must be accepted as, a special privilege for the Government, and a heavy responsibility.

MINISTERIAL STATEMENT

I have a further communication to make, that is that the Prime Minister will make a Ministerial Statement this afternoon at 6.00 p.m.

PAPERS LAID

The following Papers were laid on the Table:—

The Regulation of Wages (Wholesale and Retail Distributive Trades Wages Council Establishment) Order, 1963.

(By the Minister for Labour and Social Services (Mr. Amwenda))

The Kenya (Amendment of Laws) (Marketing of African Produce) Regulations, 1963.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

NOTICE OF MOTION

K.B.C. TO INTRODUCE KURIA LANGUAGE PROGRAMME AT KISUMU

Mr. Malsori-Itumbo: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the fact that the Bakuria do not understand any other language than their own, and that Kuria is the only vernacular in Nyanza which is not heard on the Kenya Broadcasting Corporation's broadcasts, this House is of the opinion that the Kenya Broadcasting Corporation should introduce a Kuria programme at Kisumu station immediately.

ORAL ANSWERS TO QUESTIONS

Question No. 5

LOCALIZATION AND TRAINING OF KURIA

Mr. Malsori-Itumbo asked the Minister of State (Prime Minister's Office) if the Minister could explain why, according to the Summary of the Development of Localization and Training, no Mkuria had been enrolled.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to reply as follows: I am not aware of any Government document issued under the title of "Summary of the Development of Localization and Training". As statistics relating to the Civil Service are not maintained on a tribal basis I am unable to say how many Wakuria—if any—have applied for positions in the Civil Service. I would, however, inform the hon. Member that it is not the practice to select candidates for appointment to the Civil Service on the basis of their tribal background unless the duties of a particular post render this necessary in the interests of the Government.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, arising from the reply is the Minister aware that many Kuria boys have applied for various departments but none of them have been accepted?

The Minister of State, Prime Minister's Office (Mr. Murumbi): No.

Mr. Ngala: Arising from the original reply, Sir, is the Minister aware of any Kuria man or woman who has attained qualifications to warrant considerations in the Localization Scheme?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, we really do not know, but if there are people they should apply to the Civil Service Commission.

Mr. Shikuku: The Minister is telling us that he is not aware, but can he really tell the House that among the applications so far received there are no applications from Bakuria boys and girls?

The Minister of State, Prime Minister's Office (Mr. Murumbi): I have already replied to that question.

Mr. Ngala: Arising from the second reply, Sir, could the Minister state whether he is the Minister in charge of the Kabete Institute of Administration and whether he knows the people who are training there, and if he knows them does he know if there are any Kuria men or women?

The Minister of State, Prime Minister's Office (Mr. Murumbi): That is another question, Mr. Speaker, Sir.

The Speaker (Mr. Slade): That is not another question, but I think you have already answered that you do not know.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, can the Minister tell the House what kind of qualifications are needed for such jobs? I mean the qualifications that an Mkuria failed to get?

The Minister of State, Prime Minister's Office (Mr. Murumbi): If he will apply to the Civil Service Commission they will give him more details about the qualifications.

Mr. Towett: Mr. Speaker, Sir, does the Minister imply that we apply to the Civil Service Commission for admission to this training?

The Minister of State, Prime Minister's Office (Mr. Murumbi): The vacancies are published in the Press and one applies to the Civil Service Commission and one sends the application in the ordinary manner.

Mr. Ngala: Arising from the reply, Sir, is the Minister in order in referring hon. Members of this House to the Civil Service Commission when the Civil Service Commission is under the responsibility of the Government?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Is the Minister opposite raising a point of order or is he asking the Minister to answer a question? Is he asking for your ruling?

The Speaker (Mr. Slade): I think you are raising a point of order.

Mr. Ngala: Yes, I was raising a point of order, Sir.

The Speaker (Mr. Slade): Ministers can be asked questions about any matter of administration for which they are responsible, and they are expected, as a rule to reply, though they are under no obligation to do so. It is not a good reply to refer hon. Members to some subordinate department for which the Minister is ultimately responsible, but I am not yet very well conversant with our new Constitution. I have an idea the Civil Service Commission is an independent authority. If so, the Minister is not responsible for their activities.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, Sir. The Minister did not actually refer the Member to the Civil Service Commission, he referred to applications for jobs to be sent to the Civil Service Commission. The hon. Member opposite should know this as a very elementary fact.

The Speaker (Mr. Slade): I think we will go on to the next question.

Question No. 6

LACK OF LAND DEVELOPMENT SCHEMES IN KURIA

Mr. Malsori-Itumbo asked if the Minister for Lands and Settlement and Irrigation Schemes was aware—

(a) that Kuria Constituency had not been included in his plans of land development; and

(b) that no land had been given to the people of Kuria Constituency to settle in, though many of them were landless?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I beg to reply. (a) I am aware that the Kuria Constituency has not been included in plans of land development, since these are confined to the Scheduled Areas. (b) The question of the selection of settlers for settlement schemes in the Scheduled Areas is one for the region to decide and is not within my powers.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, arising from the Minister's reply does he mean to say that the regions were there two years ago? Because I understand that when the Settlement Schemes were inaugurated there were no regions.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I was not the Minister then.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, how many Ministers are replying to this question?

The Speaker (Mr. Slade): I think it must be accepted that a Minister answers for the activities of Government yesterday, as well as today.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, the choosing of the settlers is done by the Administration in the Province.

Mr. Towett: Mr. Speaker, Sir, is there provision in the Minister's Ministry for the settlement of these people, before the Administration is called upon to select the people?

The Minister for Lands and Settlement (Mr. Angaine): Repeat the question.

Mr. Towett: I say, the Minister has said in one of his replies, Sir, that the choosing of the people who are to be settled, is a matter for the Administration, and my question is, is there land in the Minister's own planning for the settlement of these people before the Administration is called upon to select them as settlers?

The Minister for Lands and Settlement (Mr. Angaine): There is land available for the people from Nyanza.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, whereabouts (is this land)? Is this the land which was given to the Luo tribe?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, that is another question.

The Speaker (Mr. Slade): I do not think it is another question.

Mr. Ngala: Mr. Speaker, Sir, that is not in my view another question. The Minister has said that there is land for the Nyanza people and the hon. Member has said "Where in Nyanza?" We want a reply from the Minister. Exactly where is it, in Bondo or Lake Victoria, or anywhere?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, land at Muboroni and Songhor is available.

Mr. Towett: Mr. Speaker, Sir, the Kuria people come from the borders of Tanganyika. Does the Minister imply that these people will be moved from the Kuria lands to Muboroni here, in Nyanza?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, if these people are chosen by the regions the land is then made available.

Mr. Shikuku: Arising from the reply, I would like to know from the Minister whether he is going to have consultations with the regions concerned before these people are moved from the borders of Tanganyika into Muhoroni.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, in my ministerial capacity I have no authority, but the authority lies with the Regional Assembly.

Mr. Malsori-Iumbo: Mr. Speaker, Sir, is the Minister aware that many of our people are moving into Tanganyika and not to Muhoroni?

The Minister for Lands and Settlement (Mr. Angaine): I am not aware.

Mr. Malsori-Iumbo: Mr. Speaker, Sir, if the Minister is not aware then what is he planning to do for them? Because it is important for them to move 150 miles from the Tanganyika border to Muhoroni? They have not been told—

The Minister for Lands and Settlement (Mr. Angaine): If the people want to move to Tanganyika I cannot prevent them.

Mr. Ngala: Mr. Speaker, Sir, I do not know whether I will be in order. Is the hon. Member for Kuria, Mr. Malsori, not in a wrong Parliament? I think he should be in a Regional Assembly for asking this question because, Sir, the Minister has said that he has no authority over land held by the regions.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, is the hon. Member allowed to make a speech?

The Speaker (Mr. Slade): He has not made a speech, but his question is not a relevant question to the Minister.

Question No. 12

ELGON FOREST: LAND DISTRIBUTION

Mr. Kidi arap Cheptikil asked the Minister for Lands and Settlement if the Minister was aware of the unfair distribution of land to pro-Kadus and the eviction of pro-Kanus in the Elgon forests?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I beg to reply. I am not aware that land in the Elgon forests is being distributed discriminatorily on political grounds, nor that persons are being evicted from the Elgon forests on political grounds. If the hon. Member

can substantiate his contention that sections 13 (D) and 13 (3) of Chapter I of the Kenya Constitution are being contravened in the Elgon forests, then I think that he should put the facts of the matter to the Minister for Justice and Constitutional Affairs, who is the correct person to consider them.

Mr. Ngala: Arising from the reply given by the Minister, Sir, is the Minister right in replying to the question when he knows that the question of resettlement in that area is the responsibility of the regions?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. Is the hon. Member asking for a ruling on whether the Minister was right to answer this particular question or is he asking the Minister to determine a point of order?

The Speaker (Mr. Slade): I think Mr. Ngala has made a point of order to me actually. On this point of order, the difficulty is that I am not quite clear yet, and I do not think anybody else is quite clear, exactly what are matters of administration for which Ministers are responsible and exactly where the boundaries of regional authority lie. In those circumstances we have taken the view, with regard to Notices of Motion and questions, that in case of doubt let them be asked here and see how far the Minister can answer them. If he says it is beyond his reach the House will have to accept that.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, on a point of order. Is it not right that this is the National Parliament of this country and that any questions, local government, regional, or any other questions can be asked here? And that it is for the Government men to reply and state where the question should be asked or what should be done? Can the questions be circumscribed or limited in regard to the terms which the hon. Member has submitted?

The Speaker (Mr. Slade): No. As far as questions go, they have to be limited to matters for which the Government is responsible, matters of administration for which the Government is responsible; and some things, as I understand it, are by the Constitution now put out of reach of the Central Government. That is not to say that matters of national interest cannot be debated in this House; but the scope of questions is limited in that way to matters of administration for which Government is responsible.

Mr. Towett: Mr. Speaker, Sir, the Minister for Lands and Settlement did say that this matter should be referred to the Minister for Justice and Constitutional Affairs as it is a matter of constitutional adjustment, but I think it is his Ministry. I am trying to explain because there has been a bit of confusion here. Is the Minister right in saying that a matter of land settlement should be referred to the Minister for Justice just because there is a provision in the Constitution that where there is a dispute it is the Minister for Justice who should be responsible for the matter? Is the Minister right in trying to shirk his responsibility and saying that the Minister for Justice has to be consulted on this question instead of himself? Why can't they get together and solve the problem together?

The Speaker (Mr. Slade): I think you were asking the Minister whether he thinks he is right?

The Minister for Lands and Settlement (Mr. Angaine): Yes, Sir, I think I am right.

An hon. Member: Arising from the subsidiary reply, did the Minister mean the man concerned should go to the court or go to the Minister for redress of unfair distribution of land?

The Minister for Lands and Settlement (Mr. Angaine): Since the question does not concern my Ministry at all, I would like to ask the hon. Member to withdraw the question and bring it up again.

The Speaker (Mr. Slade): We will have the next order now. Mr. Ngala you have a question by private notice.

QUESTION BY PRIVATE NOTICE

ASSASSINATION OF DISTRICT COMMISSIONER, ISIOLO, AND SENIOR CHIEF

Mr. Ngala: Mr. Speaker, Sir, in accordance with Standing Order 25, section 2, I would like to ask the following question:—

- Will the Prime Minister state whether Government is going to make a statement over the assassination of the D.C., Isiolu, and his Senior Chief last week?
- Will the Prime Minister give details of the investigation carried out so far over this incident, and whether the offenders are definitely determined as having been directed by the Somalia Government?
- What steps are now being taken to safeguard the lives of other administrators in that area and the general public in the North-West Region?

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I beg to answer question (a).

First, yes, the Government intends to make a statement in the House very soon, but we consider this question of this House to play politics on the question. We are very serious about it, and we are taking every step in our power, and therefore I do not think I will answer at this stage subsidiary questions. Thank you.

Mr. Ngala: Mr. Speaker, Sir, can the Prime Minister give reasons for refusing to answer sections (b) and (c)?

The Speaker (Mr. Slade): Do you want to say any more, Mr. Kenyatta?

The Prime Minister (Mr. Kenyatta): No, Sir.

Mr. Alexander: Mr. Speaker, Sir, one of the most serious aspects of this case is the suggestion—

The Speaker (Mr. Slade): I hope this is not a speech. Mr. Alexander. Are you explaining the basis of your question?

Mr. Alexander: Yes, Sir, I am explaining the basis of my question. One of the most serious aspects of this case is the suggestion that our neighbouring territory, Somalia, had had something to do with this. Would the Prime Minister state whether, in fact, these assassins were in any way assisted by Somalia? Would he also state whether it is known if they have gone to Somalia and if so, what response has our Government had from Somalia to the representations made to it to assist our Kenya Government in the matter?

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I do not wish to add to what I have already said.

Mr. Ngala: Arising from that reply, Sir, can the Prime Minister assure this House that the widow and the six children of the deceased D.C. are safe and under care?

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I have said already that I am not going to answer any subsidiary questions.

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 3—NATIONAL ASSEMBLY

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I feel this is very straightforward and I do not wish to waste the House's time in making any speech.

The Speaker (Mr. Slade): You want to move straight into Committee of Supply?

The Minister for Finance and Economic Planning (Mr. Gichuru): Yes, Sir.

The Speaker (Mr. Slade): I should explain to hon. Members that when we have the heads of Estimates it is open on each head for a Minister to move that Mr. Speaker do now leave the Chair, whereupon he makes a policy speech on this particular Vote, and then there is a general debate before the House goes into Committee of Supply. It appears that on this occasion the Government do not want to make any general policy statement, in which case the House goes straight into Committee of Supply.

I do not know if there is a point of order you want to raise, Mr. Alexander?

Mr. Alexander: I only wanted to say that I thought the Motion would be that Mr. Speaker do now leave the Chair. That is in our Standing Orders, is it not?

The Speaker (Mr. Slade): If you will allow me a moment to check it, but I think it is at the discretion of the Government. It is Standing Order No. 143. On the Order of the Day for a Committee of Supply being read Mr. Speaker shall leave the Chair without question put unless a Minister moves that "Mr. Speaker do now leave the Chair" for the purpose of enabling the Minister to initiate a debate on the policy implied under a Vote for which he is responsible. But, of course, these Votes are brought on in the order the Opposition asked for, and the understanding is that the Opposition has asked for those Votes which it wants to debate in general, as well as in particular. So, I think it would be right for the hon. Minister to move formally "that Mr. Speaker do now leave the Chair," even if the Government does not wish to make any statement of policy, so that the Opposition may be given an opportunity of general debate.

I cannot make a ruling to that effect, I am only referring to what has been the tradition of the old Legislative Council.

[The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, The Government, as I understand it, is not obliged to move "that Mr. Speaker do now leave the Chair". The Government is not aware what the Opposition wanted to discuss, because they have not been told. The Government does not wish to move on this occasion "that Mr. Speaker do now leave the Chair".

The Speaker (Mr. Slade): In that case we shall now go into the Committee of Supply.

COMMITTEE OF SUPPLY

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

VOICE 3—NATIONAL ASSEMBLY

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT a sum not exceeding K151,450 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1964, in respect of Vote 3 National Assembly.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

Head A.1.—Personal Emoluments

Mr. Ngala: Mr. Chairman, Sir, I must start by making it quite clear that I think the tactics used by the Government in not allowing a policy debate, are wrong.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Chairman, what reference has the remarks of the hon. Member to Personal Emoluments, what is he moving?

The Chairman (Mr. De Souza): Mr. Ngala, you are in order if you are leading to Personal Emoluments so long as you do not make a speech on the tactics of Government.

Mr. Ngala: I was leading to that, Sir, I would like to protest as I see that the Government has purposely done this to deny the Opposition a chance of speaking generally on this Vote.

On Head A—Personal Emoluments I would like a break-down to be given of these 49 new posts, how many new staff must be employed and of what sort, and what payments are involved, because the Vote has been almost doubled. I am aware that this House has been expanded but, I think that we are entitled to know the break-down on the new 49 posts.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to reply.

[The Minister for Finance and Economic Planning]

As explained in the note on page 7b, the increase here is caused by the increase in the two Houses. First, a Senate comprising 41 Senators and second the House of Representatives of 129 Members. There is an increase of 49 posts in the establishment, because with the increase of Members more Palatynists are required, as well as an increase in the Executive staff, the Catering Department and so on. I cannot give at the moment the break-down of the 49 posts. But the staff have had to be increased.

Mr. Ngala: Mr. Chairman, Sir, can the Minister explain—he is the Minister for Finance—why 49 posts have come up? I am only asking for a break-down on the specific staff concerned, and what jobs they are going to have. I think that since the Minister has stepped up the expenditure to the tune of 49 new posts, surely he can explain who the people are concerned and why we are paying this money.

The Chairman (Mr. De Souza): I would like to read, in answer to the point of order raised by the hon. Minister for Justice and Constitutional Affairs, a ruling made by the Speaker on 27th June, 1961, which I think is very pertinent to the point of order raised. I will read it in full and I think this will probably explain to hon. Members the scope of the debates in the Committee of Supply. This is what the Speaker said: "Hon. Members on Tuesday of last week when the Vote of Annual Estimate for the Chief Secretary was in Committee of Supply, the Chairman ruled that discussion should be restricted to questions seeking information unless and until there was a Motion for the reduction of the Vote. That ruling was in my opinion correct and consistent with the trend of past practice in this Council. It was related to the particular circumstances of a Committee of Supply following a general debate on the Motion 'that Mr. Speaker do now leave the Chair' and in view of certain questions which it has raised, I think that I should now explain the various limitations of debate in Committee of Supply according to the circumstances. In the first place, there is always before every Committee of Supply a question that a certain sum of money be voted, whether in respect of the Annual Estimate, or in respect of Supplementary Estimates, or otherwise. That question, normally, in accordance with general principles, invites debate whether or not a Motion for the reduction of the Vote be moved. Where, however, the Committee of Supply consider any particular Vote, following the general debate on the policy implied by that Vote, which has been initiated

by the Minister moving under Standing Order No. 108, for the sole purpose of such debate, 'that Mr. Speaker do now leave the Chair', there can be no justification for resumption of that general debate in Committee of Supply. In such circumstances, discussion in the Committee of Supply should be limited to seeking information or explanation, unless and until there is a Motion under Standing Order 112, section 3 for the reduction of the Vote in relation to the particular sub-head thereof. In all other circumstances, when the Committee of Supply, whether on Annual Estimates or Supplementary Estimates, or otherwise, affords the opportunity for debate of the Vote in question, general debate by the Committee of the policy implied by that Vote is in order, though such debate must be kept to the specific object of the grant which is pledged before the Committee and may not refer to any 'necessity' for legislation or matters involving legislation, and is of course, subject to all general rules of debate."

Now, I do not think that I need read the rest of it, but it is quite clear that a debate will be permitted; it is not merely questions and answers, but it must be restricted to the particular sub-head that we are discussing at the particular time.

[The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I am now in a position to give an answer to the question asked by the hon. Member opposite. We have had an additional Clerk of the Senate; and a Clerk Assistant to the Senate; one Sergeant-at-Arms; three Palatynists and Reporters; two new Executive staff: Clerical, Typing and so on, four; Kitchen, Dining-Room and House staff, twenty-nine.

Mr. Shikuku: Mr. Chairman, Sir, I hope I will be in order to ask further questions.

The Chairman (Mr. De Souza): Yes, you are allowed to ask as many questions as you want and even debate, as I have said, provided it falls within the particular head we are discussing.

Mr. Shikuku: Thank you, Mr. Chairman.

I was just trying to find something out on a point of clarification. Of the staff the Minister has already mentioned, are they the additional staff, are they new staff? If so, are these reporters necessary in this House when we have Palatynists?

The Minister for Finance and Economic Planning (Mr. Gichuru): The answer to the first part, Sir, is that I am answering the question I was asked.

[The Minister for Finance and Economic Planning]

As to the second, the questioner must remember that we have a Senate which also requires Palantypists.

Mr. Shikuku: I think the Minister has now made the position quite clear in that he did not tell us which House or which other place. Are these reporters for the Senate or the House of Representatives?

The Minister for Finance and Economic Planning (Mr. Gichuru): The National Assembly, Sir.

(Head A. 1 agreed to)

B—House Allowances

Mr. Ngala: Mr. Chairman, Sir, on the question of house allowances, first it looks as if this particular item has almost doubled itself. I would like to know whether the Minister has the principle of doing away with house allowances for the staff, as it was indicated some time ago in Government reports, and if that is the policy—to do away with house allowances for staff, and so on—would the Minister not reconsider making savings in these £5,000? Also, I would like to know whether the Government is contemplating doing away completely with any house allowance element, either in the National Assembly or in any matters that effect Government staff in other departments elsewhere.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, the whole question of salaries and house allowances, and so on, is being considered at the moment by the Salaries Commission, and I hope to receive their report perhaps next month.

Mr. Ngala: Mr. Chairman, if the report recommends doing away with the element of house allowances, does it mean that this item would not be an expenditure on the Government?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I would rather wait until the report is out and then discuss it.

(Head B agreed to)

Head C—Passages and Leave Expenses

Mr. Ngala: Mr. Chairman, on the question of passages and leave expenses, I would like to know for whom these passages are being paid, and also for whom the leave expenditure is being incurred. We have reached a stage where this Government can make a clear declaration on

what their policy is, because we do not want to have to employ people who take advantage of taking their leave outside Kenya, and it looks as if this Government is perpetuating that very thing which my colleague used to fight with me against when I was across on the other side.

I would like to know, therefore, Sir, what the Government policy is on this.

Secondly, I would like to know why there is this increase of £150 on this particular item. Does it mean that we have employed somebody from overseas whom we shall have to pay for his leave and his passages?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, this figure is required to pay for Mr. Nimmo and family proceeding to leave in November as well as the return of one palantypist at present on leave in the United Kingdom.

Mr. Ngala: Mr. Chairman, Sir, the second part of my query is not answered. That is, what is the Government policy as far as, say, passages overseas is concerned and expenditure on leave generally. As far as this particular item is concerned and also as far as the future intention of this Government, what is the policy?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, the questioner knows very well that we have embarked on an Africanization programme and when that is complete there will be no question of overseas leave.

(Head C agreed to)

Head D—Travelling Expenses

Mr. Towett: Mr. Chairman, Sir, why is this figure double? There is an increase of 49 posts which presumably is an increase of 49 percent. Now, does that warrant the figure of £600 doubling? I would like to know from the Minister more about how he got this figure of £1,200 when we had in 1962/63 only £600?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, perhaps my hon. friend objects to the fact that we have both a Senate and a House of Representatives, each with a Speaker, and this goes towards the travelling expenses of the two Speakers. That is why the figure is double.

(Head D agreed to)

Head E—Purchase of Additional Vehicles

Mr. Ngala: Mr. Chairman, Sir, I would like to know what these additional vehicles are for. Are

[Mr. Ngala]

the additional vehicles for the National Assembly or are they vehicles on hire purchase by Members of the National Assembly? If these vehicles—some money has already been allocated for these vehicles as is clearly indicated here—have already been bought where are they or are they to be bought?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, this figure is required for the purchase of a motor vehicle for the Speaker of the Senate.

Mr. Ngala: Mr. Chairman, Sir, we would like to know what type of vehicle this is which is costing £1,500?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I believe it is a Humber very much like the official car the hon. Member once owned.

Mr. Shikuku: Mr. Chairman, Sir, arising from the reply by the Minister for Finance, would it not, in view of the financial difficulties confronting this country, be in the interests of the country if the Minister for Finance could consider getting any other car which costs less than that.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, the hon. Questioner insists and upholds the whole principle of *Majimbo*. All this duplication and extra expense are brought in by *Majimbo* and if we have to get a car for the Speaker of the Senate, we must get a decent car and one a little better than his.

Mr. Towett: Mr. Chairman, Sir, before I come to the question of the figure, I would like to know whether the Minister implies that this motor vehicle which is being purchased for the Speaker of the Senate is for one of the regions? I want to know whether he represents a region in the Senate or not. But the problem here is this. Under Head F is the purchase of additional vehicles: we have only been told about one motor vehicle: could we know why this additional "vehicles" is now "one vehicle" other than that it was for the Speaker of the Senate?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, would the hon. Member care to use his pencil and cross out the "s" at the end of the word "vehicles".

Mr. Ngala: Mr. Chairman, Sir, we take it to mean one vehicle now that the Minister has corrected himself. We know that he did not mean the plural.

Secondly, Sir, I would like to know how it came about that the Government decided that the Speaker of the Senate should have a vehicle bought for him. Is this a constitutional provision or is this a decision by the Government there?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I know it is wrong to ask a question when one is asked to reply to another, but we have bought a car for the Speaker of this House and it is therefore only proper that we should have one for the Senate. Is there any provision in the Constitution which says that the president of a region will get a free car?

Mr. Towett: Mr. Chairman, Sir, I have seen personally the mistakes—Either this volume is wrong or it is right. Is the Minister serious as well when he asks me to cross "s" with a pencil that is not there. That was a misprint and if it is so can he tell us that this is a misprint?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I was only trying to simplify matters for my hon. friend who seems to be extremely ignorant. This is how these items are arranged in the Estimates because, although this year we have only one car, next year we may have two. Therefore, you put "vehicles".

Mr. Towett: From the Minister's explanation I am becoming more ignorant of the whole set-up. Here, in this House, we have been asked to vote money for additional vehicles. Now, the amount for this £1,500. I want to be told in simple language—the Minister is cleverer than I am, I admit, but—how many motor vehicles were included in this amount, one or two or more?

The Chairman (Mr. De Souza): I think he has already answered you by saying it was one vehicle. Anybody else?

Mr. Gatagata: Mr. Chairman, I was going to explain that point expressed by the hon. Member. The point is that this is an Estimate for 1963/64. There is a provision for a certain amount of money to buy vehicles.

It is not necessary to say now how many vehicles we are going to buy during the year, but there might be a need tomorrow, or even the day after tomorrow; the provision has to be there when an Estimate is made. So we should not be continually asked how many vehicles: it is not necessary to know now.

Mr. Towett: Mr. Chairman, Sir, I am now a bit enlightened by the reply from one of the Back-benchers, the hon. Member for, was it Thika?

(Mr. Towett)

May I take it, therefore, Sir, that this money may be increased. We do not know and we cannot go by this figure. It may be more than what we are being asked to vote for in, say, six months' time. This is not exactly what we should go by. May I take it that this is only a figure put in there—it may be more, it may be less?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I think we are wasting our time. I have answered that question several times.

The Chairman (Mr. De Souza): Yes, I think I have the power to proceed to the next sub-head unless there is a Motion to reduce the Vote. As there is no particular Motion on this, I think we will proceed to the next sub-head.

(Head E agreed to)

Head F—Salaries, Allowances, etc. to Members of National Assembly

Mr. Ngala: On this, Sir, I would like to know whether, under "Allowances" the Minister will consider making special provision or a different provision for Members of the Upper House, since in most cases they have a larger area to attend to than the ordinary Members of the House of Representatives, particularly in relation to the constituency allowance, which I understand stands at Sh. 200 a month at the moment. I think the Members of the Upper House are experiencing a real difficulty in covering their areas. This may also be a difficulty as far as other Members of the House of Representatives are concerned, but I put it forward particularly as a request by Members of the Upper House.

The other point, Sir, is whether it is the intention of the Minister to review the salaries of Members of the Lower and the Upper Houses, and whether this figure is contemplating that review either downwards or upwards during this financial period.

The Minister for Finance and Economic Planning (Mr. Gichuru): No, Sir.

Mr. Towett: Mr. Chairman, Sir, I wish to move a reduction of £1 on this item. While on this item I think the Minister should have taken the trouble to explain to this House many things which are involved, in so far as the Members of the two Houses are concerned, and he failed to do so. He did not want to go into detail, to explain what is involved in this matter. He knows the number of Members—

The Chairman (Mr. De Souza): Mr. Towett, would you give me a copy of your Motion in writing. Please write it down and give it to me.

Mr. Towett: I was speaking, Mr. Chairman, about the whole set-up of this particular item. We know we have an increased number of Members. We have some in the Senate and we have hon. Members in this House who have also their travelling allowances and their constituency allowances, and I should have thought, had the Minister been as wise as I would have expected him to have been, he would have taken a bit of trouble to explain, before going into the Committee, the whole set-up of this particular aspect and to tell us what is going to happen, whether the allowances will remain static or go down or up, and to tell us the situation as far as the Members of the Senate are concerned and whether, as the hon. Member for Kilifi-South has said, the Senate Members who represent larger constituencies than some of the Members of this House will get more constituency allowances or the same.

I move the reduction of £1 just to point out to the Minister that he has made a very grave omission. With the new set-up and the enlarged Assembly, we should have had more explanation and more detailed information from the Minister. I know I will get support and, in regard to this particular item, everybody wants to know what is going to be our future; are we going to have our allowances reduced or increased? I do not mind either way, but we want this from the Minister. He should have given us a hint. He says there is a Commission ahead, but he should have stood up and said all this is probably pending, this Commission's report on salaries, and so on, which he has in mind. I am challenging the Minister as such for making these omissions, and I want him to be more careful next time. I hope he will take this as a serious challenge with a new Assembly, an enlarged Assembly. I know I am repeating myself, but I want the Minister to bear in mind that we are a big House with many allowances, many trips, many meetings, long distances, and we may have to go to the North-West Region where there is no Member represented. Are the Advisory Committees there getting any allowances because they are not represented here? We would have liked to know this from the Minister, Mr. Chairman, so I move a reduction of £1 on section F.

(Question of the Amendment proposed)

The Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh): I want to make a few comments on one aspect of the matter raised. It

(The Parliamentary Secretary, Prime Minister's Office)

has been suggested that the constituencies of the Senators are very large and therefore, they deserve higher constituency allowances. I am afraid that I do not agree with that view. The reason is this. For Nairobi there are seven Members in this House. One Senator is not the only Member for the Nairobi area, there are already seven to look after the interests of the people. The addition of a Senator only means that the people of Nairobi will be served by eight Members instead of seven. The Senator does not have to do seven times the amount of work, done by the Members of the House of Representatives. He probably has even less work than the Members of the House of Representatives. In any case, he cannot have more work to do than an average Member of this House. I, personally, think that the constituency allowance of £120 is ample. There was a time when the constituencies were much bigger. I know that at one time my constituency covered the whole area from Nairobi to the borders of Abyssinia, and I had no allowance.

Mr. Ngala: Mr. Chairman, Sir, I would like to second this Motion.

The Chairman (Mr. De Souza): You do not have to second it.

Mr. Ngala: I would like to speak on this Motion because the Minister for Finance is showing surprising indifference. The National Assembly expenditure which is about £302,000, is a matter of great importance to this House and to the country as a whole. But the items, Sir, have not been explained, even in regard to the present one that we are discussing, of salaries and allowances. The increase is from £92,000 to about £250,000, which is a very large increase. When we ask about this we are only told that we ask for *Majimbo* or that we are asking for the Senate. Of course, we asked for these, and we obtained them. The Minister himself, placed his signature on our request. The fact that the country is run on this pattern of Constitution is no reason for denying the Opposition explanation as to the increase of expenditure. When the Minister gets up and says that we ask for *Majimbo* he is being completely irresponsible. We want explanation from the Minister for Finance exactly as to how he is intending to spend this money. We do not want to be shouted down from the other side. This is why we are moving a reduction of this Vote because the Minister failed to tell us how he intends to spend the money. The Minister refused to move that the Speaker leave the Chair, and I now see why he did that, because

he wished to refuse the Opposition an opportunity of discussing matters of specific policies. Furthermore he is going on to refuse the Opposition a detailed explanation, item by item, this is a very bad attitude reflected by the Minister and completely dishonourable. When we spend money on the Senate we want to know how the Senate is working. We want to know if the Members of the Senate get a proper reply from the Government side. So, we can be satisfied that the money is being spent wisely, and warrants this large expenditure. I understand, Sir, that because the organization here was so bad the Senate had to be adjourned for one week, and did not sit because of the wrong pattern on the financial expenditure.

The other point is that we have been told that allowances are not going to be increased because when I asked him he said "No". Then he said that there was a Commission that was going to revise salaries. We want to know whether that particular Commission is covering this particular aspect of salaries in the National Assembly. The Minister gave no explanation. He is a tired Minister and all that he can say is "No". We are entitled to some explanation.

If the Minister will refrain from making comments, he can have his turn to speak in due course.

This is why we are completely dissatisfied with the reply of the Minister for Finance. We also want to know whether any of this increased expenditure covers the alterations to the County Hall. We should have had a proper reply to this instead of "No". If he cannot give detailed explanations, then he deserves this reduction of £1. That is why I very strongly support the idea of deducting £1 on this Vote.

Mr. Alexander: Mr. Chairman, Sir, I want to use this opportunity to deal with these three matters of principle.

Firstly: the one I raised the other day, to which there was no reply from the Government side, the Prime Minister was out at the time, but I imagine that the Minister for Finance has since had the opportunity to discuss it with him, and will be in a position to give us a reply today.

It concerns the appointment in the Senate of one or more Ministers. I made the point in the Budget Debates that I thought it was only fair to the Senate, to the Government itself, that there should be someone, or more people in the Senate in direct contact with the Cabinet, who can give authoritative replies, as distinct from merely a spokesman, who is not in touch or would find

[Mr. Alexander]

is very difficult to be in touch with the day-to-day policy of Government. I did refer just to refresh the Minister's memory, to the unfortunate inconsistency between the policy stated in the Senate on behalf of the Government in relation to the Press and the Kenya Broadcasting Corporation and the policy stated here.

An Hon. Member: On a point of order, Sir, is the hon. Member relevant to the matter being discussed?

The Chairman (Mr. De Souza): Members of the National Assembly, I think this is going a little too far over the point, but on the other hand we do want to have a little more debate on this particular Head than usual, considering the ruling given by the Speaker previously and considering that there has been no general debate, but I do ask Mr. Alexander not to go too far away from the particular sub-head, namely "Salaries, Allowances, etc. of the Members of the National Assembly".

Mr. Alexander: Thank you, Mr. Chairman, this is an all-in figure, £250,000, we are considering. It is obviously a round figure and cannot be expected to be a detailed accurate estimate, and into it can come all the considerations relating to the Members of the Senate and of this House. What I am asking is that in those considerations there should be taken into account this question of the appointment of Ministers in the Senate for the smooth working, the efficient working of the Senate.

The second point of principle I want to discuss, concerns the age-old practice, custom and tradition of a Speaker or Speakers in parliamentary practice, who once they have been appointed are regarded, and are expected to regard themselves, as above politics. When they are appointed, of course, they are invariably taken from the arena of politics, and it is fortunate that in the case of both of our Houses, the Senate and this House of Representatives, that our Speakers have had experience on the Floor of the House in the cut and thrust of debate, and we are most fortunate to have Speakers with that experience.

What I would like the Government to indicate is whether there is now to be any departure from this age-old principle of Speakers, or a Speaker, once appointed, refraining from taking part in politics?

The Parliamentary Secretary for Lands and Settlements (Mr. Marrion): Mr. Chairman, I submit to your ruling that the hon. Member is not in anyway being relevant to Head F. He has

brought up the question to start with, of Ministers operating inside the Senate. The £250,000 that we are concerned with here does not in anyway concern Ministerial salaries which are concerned with their own Heads. We are purely concerned here with Members of the National Assembly. The hon. Member then goes on to discuss the question as to whether the Speaker should or should not be above politics.

I submit to your ruling, Mr. Chairman, that consideration of salaries and allowances to Members of the National Assembly is nothing to do with whether a Speaker should be, or should not be, above politics.

Mr. Towett: On a point of order, Mr. Chairman, I thought that the hon. Member, Mr. Alexander, was referring to last week's postponement of the Senate. They never sat last week because of this, not lack of work, nor inexperience of Members; it was related to that which we are discussing, "Subsistence allowances and salaries of Members". Last week the Senate never sat and that is directly concerned with allowances, Mr. Chairman.

The Chairman (Mr. De Souza): I must give a ruling on these two points of order which are related. The usual practice is that general debates on policy on the particular department concerned takes place when the Motion is moved by the Minister "That the Speaker do now leave the Chair". When, in fact, that does not take place, as it has not taken place today, for the simple reason that the Minister did not move or refused to move "That Mr. Speaker do now leave the Chair", I am informed that a general debate on policy does in fact take place under personal emoluments, because under that heading the salary of the Minister himself is included and somebody can then move that his salary be reduced by £1. However, that has not taken place there, and I did propose to allow some latitude in debates in the Head F; that is "Salaries, Allowances, etc.", to Members of the National Assembly". But I do feel, on the other hand, that a general debate on policy in this Head, on matters of principle such as matters referred to by Mr. Alexander, would throw the gates wide open to a general debate which would be undesirable under this particular Head. I have already quoted earlier on, that there can be a full debate when a person moves a reduction by £1 in a particular estimate, but it must be confined to the particular sub-head that is being discussed, and that it, in fact, also in Standing Orders. I do not want to read them out just now, but I will do so, if necessary. So I do ask Members now, I think what Mr. Alexander said is enough to

[The Chairman]

cover the point as far as he is concerned, not to proceed with a general policy debate, but to proceed with the debate on the particular Head, namely "Salaries, Allowances, etc., to Members of the National Assembly".

Mr. Alexander: Thank you, Mr. Chairman, in the case of personal emoluments under this heading, which we passed—

The Chairman (Mr. De Souza): I beg your pardon Mr. Alexander. There is just one little point. Salaries of both the Speakers is under clause 3 F, that is the one we are now discussing, and I think it would be in order to raise the conduct of Speakers under clause 3 F, in this particular matter, but not the question of Ministers being in the Senate or not.

Mr. Alexander: Thank you very much, Mr. Chairman. I was about to say that the allowances of the Speaker are in this, and I am pleased that you have ruled I am in order to deal with the general principle of Speakers.

What would be helpful for the Government to do when they reply, is to give us a clear indication whether they now believe that there should be any departure whatever from this traditional behaviour, customary behaviour of Speakers in relation to them keeping themselves outside their respective Houses completely apart from, and above, public politics, as distinct of course, from holding their own personal and private opinions, which they are perfectly entitled to do.

The third point of principle, Mr. Chairman, I would like to raise under this, is whether the Government is prepared to consider making the salaries of Members free of Income Tax. Certain of the allowances under this Vote are in fact exempt from Income Tax, but I believe Mr. Chairman, that it would enable Members to have a far more accurate assessment of their earnings in this House, if this incumbency of Income Tax was taken away.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to reply, I would like to confine myself to the items in question. That is item F. The answer to the various questions is this: that we have a Speaker earning £2,000, a Deputy Speaker £400; Leader of the Opposition £400; we also have 129 Members, less twenty-four Ministers and Parliamentary Secretaries, leaving 105 Members. If you multiply that by £500, you get the answer. Of the allowances there are 120 Members at £120 per annum. There is no question at all of raising this figure. If I put my own case, I used to look after

Kiambu and the allowance was just £10 a month: I was able to do it within that figure. I do not see why the Senator who is representing that same area cannot cope with it. Besides, Sir, the explanation that we were all given by my colleague on this side, was that the Senator does not have to do all the work himself. He shares it with the hon. Members for that area. Now, you have the allowances, £175; attendance at House sittings, for 105 Members at £4 and there are eighty sittings. Attendance at special sittings at £4 for 105 Members for twenty-eight days. Subsistence allowance at House sittings, ninety-nine up country Members at £2 per day and twenty-eight sittings. Six Nairobi Members at £1 per day, and again we have twenty-eight sittings. Transport, mileage allowance, £1,600, air fares £6,000, rail fares £700, insurance £70. The Senate

—a Speaker £2,000, Deputy Speaker £400, forty-one Members at £500 each per annum; constituency allowance £120 each, attendance at House sittings, forty-one Members at £4 per day for eighty sittings; attendance at special meetings, forty-one Members at £4 per day for twenty-eight meetings. Subsistence allowance at Senate meetings, for the up-country Members £2 per day, and one Nairobi Member at £1 per day, for eighty sittings. Subsistence allowance for the up-country Members at special meetings at £2 per day and twenty-eight meetings. One Nairobi Member at £1 per day for twenty-eight meetings. Transport and mileage allowance £35,000, air fares £3,000, rail fares £300, insurance £30.

If you add that all up, and if you were really interested enough in asking the question, you will find that you get £250,000.

Mr. Towett: Mr. Chairman, Sir, had the Minister given, say, half of the information he has now given, earlier on, we would not have pestered him very much. Had the Minister taken the trouble, Sir, to have introduced this vote to this House he would have done us a lot of justice and he would have saved a lot of time for this House, and if he does not do this in future we will go on asking questions and waste more time. Mr. Speaker, Sir, I am not yet satisfied with the conception given that a Member of the Senate who is, say, five times in the constituency as a Lower House Member should get £10 a month, when his five Lower House Members get £10 a month each; they are rich. There appears to be a little injustice here for somebody; either the Lower House Member or the Upper House Senator is suffering for the others. The thing to do, Mr. Chairman, is this. A Member of the Senate for all good purposes is supposed to tour the Constituency he represents. To say that he

[Mr. Towett] shares the work with the other Members in the district is not, to my mind, a correct way to do things. He has to go round the Constituency, address meetings; attend to the other Members. If there are five or six in the same district they will, of course, invite him to address meetings. He is not paid mileage allowances for every meeting he attends: he gets Sh. 200 per month for the whole district. Just as I represent one quarter of the district in my own Constituency, and I get Sh. 200 a month. I think there is a bit of injustice somewhere. The Senator is getting the same amount and he represents the whole district while I am only doing one quarter of what he is doing. I want the Minister to look into this, as I cannot accept this very lame and inadequate excuse that they share the work. The voters who voted for the Senator want to see him in all the areas in the Constituency. So he has to be considered. Either the Lower House Members' allowances are reduced or the Senators' allowances are put up. I can never accept the situation. Either mine is reduced and do justice to the Senator or mine is increased and I remain where I am.

Mr. Chairman, I say this because these lame excuses that have been given to us are not acceptable by all thinking and reasonable, logical people.

Mr. Chairman, since I think the purpose of my having moved this reduction has been served, I beg leave of the House to withdraw.

Mr. Alexander: He has not replied yet.

Mr. Towett: Mr. Chairman, at what stage are we? Has the Minister replied or not as yet?

The Chairman (Mr. De Souza): That is up to decide. Perhaps he has not.

Mr. Towett: Mr. Chairman, since he has not answered me satisfactorily on this particular point of equality of the Senators and Lower House Members I will ask him to reply to that first.

The Minister for Finance and Economic Planning (Mr. Gichuru): I grant that the hon. Member is entitled to his views and opinions about these things. This is what the Government has decided and there is no question of altering it.

Mr. Pandya: Mr. Chairman, Sir, I am very sorry to see that the Government is in such a bad mood today. It makes us feel that they do not want to answer some of the very pertinent and relevant queries we are making and that it seems they dislike opposition. It is our duty, Mr. Chairman, to ask these questions and to get satisfactory answers from the Government.

Now, Sir, the Minister will probably correct me if I am wrong, but I did not get what was the salary of the Speaker of the Senate. Secondly, Mr. Chairman, is the constituency allowance being given to Ministers and Parliamentary Secretaries? Thirdly, how often are Parliamentary Secretaries entitled to travel to their homes during the year? I hope these questions are very clear to him and that we will get equally clear answers.

Mr. Alexander: Mr. Chairman, Sir, when the Minister speaks could I ask if he would reply to the points of principle I raised as well?

The Chairman (Mr. De Souza): Well, the Minister is not bound to speak but he can if he wants to.

The Minister for Finance and Economic Planning (Mr. Gichuru): I think I have answered his question fully. There are the Ministers and the Parliamentary Secretaries who do have an allowance which they can use if they want to travel to their constituencies. On the question of the Speaker I did give the figure, but as you were talking I am not going to repeat it. If you read the HANSARD if you wish.

Mr. Alexander: The speaker is inclined to.....
(Inaudible).

The Minister for Finance and Economic Planning (Mr. Gichuru): That has nothing to do with this particular aspect of the Estimates. The question of the free income tax on the salaries is a point I note, but there is nothing I can do about this year.

Mr. Alexander: Mr. Chairman, whom do we look for an answer on behalf of the Government in these matters of principle? I understood from the Minister that he did not regard it as his duty to reply. Might we be told who we look for a reply?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I think I will attempt to reply because we do get tired of repetition of these questions.

Now, the question of the Speaker of the Senate being above politics is accepted. I know what the questioner is trying to drive at. When a question was raised in Mombasa by a Member who was fighting against the Speaker of the Senate during the election he felt concerned, I think he should be entitled to defend what he believes was correct.

On the question of Senators who would be able to answer questions say, on the Budget and so on, the Senators have been arranged in such a manner

[The Minister for Finance and Economic Planning]

that there is a person who will deal, for instance, with finance and so on more or less on similar lines as the Opposition has arranged to deal with these matters, and I hope that in future we shall not have a repetition of what happened some weeks back.

Mr. Pandya: Mr. Chairman, I was not asking repeated questions. I heard the Minister say that the Speaker's salary was £2,000. What I wanted to know was whether that was also the salary of the Speaker of the Senate. I understood that the Speaker of the House of Representatives gets £2,000, and there was no intention to repeat but only seeking information.

The Minister for Finance and Economic Planning (Mr. Gichuru): It is in the HANSARD if you care to look at it.

Mr. Ngala: Mr. Chairman, Sir, the Government having accepted that the position of the Speaker of the Senate or the Speakers generally should be above politics, that position is accepted. Is the Government going to issue instructions to that effect to the Speakers?

The Minister for Finance and Economic Planning (Mr. Gichuru): No.

Mr. Shikuku: Is there any reason why the Government should admit this in this House and yet it is not willing to put the same into practice? Are we just having a talk in this House and no action to be taken?

The Chairman (Mr. De Souza): As there are no more speakers to this particular Motion—

Mr. Shikuku: I was asking a question of the Minister.

The Chairman (Mr. De Souza): Yes, but he does not have to reply to it. I will put the Motion to the vote. Do you want to withdraw it?

Mr. Towett: Mr. Chairman, Sir, when the Minister does not bother to reply to questions put to him what remedy has this country got at all? I mean, where can we go? If the Government becomes obstinate and refuses to reply to questions it appears, Mr. Chairman, as if we are soon going to lose faith in this Government and the sooner we tell this to our people the better. We put questions to the Minister in order to try and elicit information from him and he keeps quiet. I do not know whether he hears them or whether he does not hear us, but if he does not react at all it seems as if we are not going to

continue very much longer with the Minister for Finance. I am not yet satisfied with this question of Senators and constituency allowances and Lower House Members and he has not taken the trouble to even hint that the matter will be looked at and the Government will consider it and see if justice can be done. He has not even hinted that this is going to receive consideration. Is there any justice in things as they are? Is this Government going to look at this as far as justice is concerned or not? If the Government is not going to look at this thing which appears to look absolutely illogical we have nothing else to do except to leave this Government to go the way it wants. Mr. Chairman.—

An Hon. Member: On a point of order, Mr. Chairman, may I know which Chamber, the House of Representatives or Senate, is more authoritative on matters of this country. We have the House of Representatives dealing with the finance or the Budget and the Senate having very little to do, so Members should be able to make out whether the allowance which has been voted for the Senators is justifiable or not.

The Chairman (Mr. De Souza): That is not a point of order. That is a point of opinion of particular Members to decide which particular House they consider is of greater importance. But that is not a point of order in this particular debate.

Mr. Towett: Mr. Chairman, I think I have voluntarily told the Minister about this and in view of the obstinacy of Government I withdraw this Motion because we seem to be getting nowhere at all.

(By leave of the Committee the amendment was withdrawn)

(Head F agreed to)

Head G.—Maintenance, Upkeep and Improvements of Parliament Buildings, Library and Grounds, Purchase of Equipment and Miscellaneous Charges

Mr. Ngala: Mr. Chairman, Sir, I would like to inquire whether the alteration of County Hall is covered under the improvements to Parliament Buildings in this item, and if so, how much was spent in carrying out that expenditure?

Secondly, Sir, I should like to know whether the building of the National Assembly—that is the proposal by the Government that a new Chamber should be put up—is covered under this item and business of Parliament. If it is not, then I should like to know where the money stayed

[Mr. Ngala]

in the Estimate comes in. Is it under Vote 3—National Assembly. Or will it come as a free gift from the British Government, as one of the Uthuru gifts?

Mr. Towett: Mr. Chairman, Sir, I beg to move a reduction of £1 on Vote 3; Head G.

I moved this reduction, Sir, because I am still unsatisfied with the Minister's approach towards this particular item. The Minister has not told us exactly what he means, or what is involved, by "maintenance, upkeep and improvements of Parliament Buildings, library and grounds, purchase of equipment and miscellaneous charges". Now we are being asked here to accept this estimate of £9,500. It is quite a lot of money and this money, as we all know, comes from the pockets of most people in this country. What does the Minister include in this idea of maintenance, what does he have to maintain? We want more information on this question of the upkeep of Parliament Buildings. Does the upkeep of the car parks come under the upkeep of Parliament Buildings? If it does we would like to know the future policy of the Government on this matter. At the moment we find that the parking space is either limited or that nobody cares to use it properly. Some hon. Members of both Houses are found to be parking outside the tarmac car park and then at about six o'clock their cars are locked outside and they have to go all the way round to get to their cars from this grass area which is supposed to be a parking area. We want to know on what the money is being used. I do not know, Sir, whether I should speak when the Minister is being briefed, or whether I should wait.

Mr. Chairman, Sir, I want the Minister to use this money to improve things correctly and, as from today, I want him to assure us that the cars of some hon. Members will not be locked out on the grass, so that hon. Members have to go round towards the Crown Offices and then by the County Hall in order to get to where their cars are parked. I would suggest, Sir, that there has been some confusion. It would be more fitting if the Houses of Parliament had car parks similar to those of the City Hall. There is a bit more organization there; the Councillors know where their cars are and where they can expect to put their cars. I would like the Minister to use this £9,500 for improvement and to do a really good job of improving Parliament Buildings and the surroundings.

Now, Sir, when it comes to this car parking area we find that there are many angry, useless people

who come there and about. Is this part of the improvement? If it is, Sir, I regret to say that we are wasting money. They have put up fences around Parliament Buildings—although the wire they have used is like the wire one uses for fencing in donkeys and cows—and the people have climbed on them, and they are now broken. Is the money to be used to build more fences for these angry people to knock down? I suggest that we give the money to feed these people, who are hungry, when they come round here to watch us come in, instead of wasting our time on building fences. It is abominable to see these people coming in here, when we are being asked to use this money to build fences. We want the Government to do something which is admirable and not to come and ask for money when nothing constructive is done.

Mr. Chairman, Sir, now about the library. We should make more use of the library and I would appeal to hon. Members not to make the library into a talking house or gas chamber. We want to go there to read books. We want that place to be quiet, so that when we go there we do not find people chatting, talking and telephoning.

An Hon. Member: On a point of order. Is the hon. Member relevant when he speaks about people talking in the library?

The Chairman (Mr. De Souza): We are, speaking about maintenance, upkeep and improvement of Parliament Buildings, library and grounds, so we can have a general debate about the upkeep of the library.

Mr. Towett: I would like the hon. Minister to tell this House how many acres is the ground of Parliament Buildings and if we have to maintain it all? This is something interesting. If the Minister for Information would keep quiet until he gets his turn, it would be a great help.

Now, Mr. Chairman, the last point is this purchase of equipment. I do not want to pester the Minister and ask him for the details of what constitutes equipment but you would help us if you could tell us some of the more important things that have to be purchased as part of equipment and, of course, I do not want to ask him to tell us what miscellaneous charges are because he sometimes gives evasive answers when it comes to miscellaneous charges.

Mr. Chairman, Sir, I would like to move a reduction of £1 on that Head.

(Question of the amendment proposed)

Mr. Godia: Mr. Chairman, I do not think that the hon. Member is right in suggesting that £1 should be deducted from this Vote. I have heard the hon. Member demand from the Minister for Finance explanation about maintenance, upkeep and improvements to Parliament Buildings, including the library and the grounds. Because he has not had these explanations he has suggested that £1 be deducted.

Mr. Towett: On a point of order. The hon. Member does not seem to understand that this is the only way in which we can speak on the item, and the only way to move a reduction; he does not seem to understand.

The Chairman (Mr. De Souza): Mr. Godia, the only method in which a Member can debate a particular Vote is by moving that the particular Vote be reduced by £1. It is only a technical reduction, as it were; he is not being very serious that the particular Vote should be reduced by £1.

Mr. Godia: Mr. Chairman, I think that is what he wanted, and I do not think that his suggestion is sensible to this House. I, therefore, oppose it and move that the estimate stands as suggested.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I was asked for the break-down of these items. We have electricity charges, £2,000; water charges, £510; telephone and telegrams, £1,810; uniforms, £252; upkeep of gardens, £600; upkeep of lifts and clock repair, £480; laundry charges and equipment, kitchen equipment and things like that, £916; meals to staff, £250; miscellaneous payments, £600; advertisements for staff, £500; upkeep of library, £300; this makes a sum of £9,531. We hope to make savings in various directions to reduce this figure to £9,500. The question of extensions to Parliament Buildings and that of the County Hall does not come in under this particular item. The plans for the extension to Parliament Buildings have been approved and it is in the hands of the architects, who are working out the details. We hope that the building will start in about five or six months. There was no alteration made to the County Hall, anything that was done was of a minor nature. With these extensions, goes the question of arrangements for car-parks. I think in this case the hon. Member will find that he has nothing to complain about because we hope that everybody will find a place to park, both Members in this House and in the Senate. It is no good at the moment going on with the improvement of the grounds beyond the fence because of the extensions to Parliament Buildings.

Much of the rest of what the hon. Member said I have noted and the question of the number of vehicles involved here I am afraid that I cannot give you, but if you wish I can give it to you in writing later.

Mr. Shikuku: Mr. Chairman, whilst on this subject I wanted to find out from the Minister for Finance whether this Government is paying a certain sum of money to the County Hall, which is being used by the Senate, and, if so, is it also included in the £9,500 which is already shown in the estimate?

The other point I wanted to find out from the Minister was—the hon. Member, Mr. Towett, raised the problem of maintenance which includes the maintenance of the area around this building. I am sure the Government spent some money to put up the wire and the poles, if these wires have been broken, they have got to be repaired. I want to know if the Government is going to incur any expense to repair these broken wires. It is very interesting to note that there is one type of noise-makers, and we in this House are often interrupted—

I think hon. Members ought to behave honourably, because we are not here to talk nonsense but to air the views of the people who elected us. If we have got to continue repairing these wires and spending public money because of followers who come round the House and make a noise and above all break the wires, is the Government going to assure us that we are not going to spend public funds to repair the wires, and that the Government is going to do whatever it can to make sure that the crowds will be orderly. If they continue to break the wires then we shall have to disallow these crowds coming here. Freedom everyone wants, but there is no freedom to kill, and there is no freedom to waste public money.

An Hon. Member: Is he allowed to raise "killing" in this Budget Speech? Is it a point of order, Mr. Chairman?

Mr. Towett: On a point of order, is it right for the Member to assume that Mr. Shikuku was out of order?

The Chairman (Mr. De Souza): That is not a point of order.

Mr. Shikuku: Thank you very much, Mr. Chairman. It is ridiculous to see hon. Members standing up on a point of order over stupid things. Mr. Speaker and Mr. Chairman have explained on several occasions what a point of order is and some hon. Members do not seem to understand English. They waste our time. I must congratulate you, Mr. Chairman, on your patience.

[Mr. Shikuku]

We have three Committee Rooms upstairs and I was wondering if it was really necessary to pay a sum of money to the County Hall, when we have these. We could save that money by having the Senators use the Committee Rooms.

With those few remarks, Sir, I beg to support the amendment.

Mr. Ngala-Aboki: Mr. Chairman, Sir, I beg to reply to the Members opposite. I wish to mention a few points here.

The first is concerned with the people waiting at the wires. These people have been waiting there ever since this Parliament started. There have been Members in the past that have not cared about the people waving hands at them and I have told them to go elsewhere. I do not see how we can keep our people away, when these crowds might come and stand there. If we have a perfect who support us annoy the opposite side then they should come on to this side of the House. The people will not be separated from their Members. We are respectable, honourable Members and we want our followers. If the fence is broken it will be rebuilt.

It has been suggested that a reduction be made on the proposed estimate. There is no need to do that. The Opposition asked for improvements, well, there are improvements. The money that has been suggested will cover the maintenance in the aspects that the Minister has outlined.

With those few remarks, Mr. Chairman I beg to oppose.

Mr. Gatiguta: Mr. Chairman, Sir, I would like to support these items and at the same time suggest that this money can be split in such a way that we can have in addition loudspeakers outside this House. An Opposition Member suggested that these people should be kicked out. On the contrary—

Mr. Towett: On a point of order. Can the Member say that the people should be "kicked out"?

The Chairman (Mr. De Souza): That is not a point of order, Mr. Towett.

Mr. Gatiguta: As I was saying, there is a lot of enthusiasm among the people to come to this House to listen to the debates and to hear the speeches of our Government Ministers. Their accommodation is very small, there is not enough room for everybody, and so I would ask the Minister for Finance to take this into account

and have loudspeakers installed, so that the general masses of the people could hear the debates. It is not necessary that microphones will be put on all sides of this House, but a particular place may be selected for this purpose.

The Chairman (Mr. De Souza): Mr. Ngala.

Mr. Ngala: Mr. Chairman, Sir, I would like a further explanation on the miscellaneous charges. Of course, the Minister for Finance has said that if this is put in writing he would be prepared to supply it. I would like to submit my request for these details in writing if the Minister for Finance cannot give it now. I want to know in detail what are these miscellaneous charges under this heading.

The second point, Sir, I often see prisoners, whether they are life sentence prisoners or not. I don't know, I often see them caretaking the surroundings of the buildings. I would like to know how much was paid a year, or how much the Minister anticipates the charges will be to the Prison Department during this period, for those people who come cheap, and cut the grass, from the Prison Department. How much is the Minister going to pay the Prison Department for this work?

Thirdly, Sir, I would like to know whether equipment was necessary to be bought this year. It looks as if the item has swollen up, because additional equipment has been bought. I would like to know what particular equipment we have bought. I have seen them, Mr. Chairman, but I do not know whether this is the particular equipment that was bought.

Mr. Towett: Mr. Chairman, Sir, the Minister has referred to uniforms in one reply to the item. Now I want to hear more from him, on what type of uniform he is contemplating. Uniforms for the staff, or if the uniforms for the staff are going to be those left over by the imperialists, the planners for uniforms, or is he contemplating a new set-up of uniforms?

I understand one hon. Member says that "black uniforms for the black man over there". I hope we will get some, Sir, and I would like the Minister, when he now finally replies, to tell me what he has in mind when he says uniforms. Is it just money for uniforms? How long are they going to last and how many pairs per person, and what type? I personally don't like white uniforms, at the moment when it is dusty or raining. Oh, the Minister wants to go and have his cup of tea, Sir, so I will let him reply now, and then see what we can do. He is just pointing at his watch

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, some of these questions are so irrelevant and they are just a waste of time.

On the question of the wire fence, I do not know what objection the Members have to the wire fence, it is necessary and when we need it it will be repaired.

An Hon. Member: At whose expense?

The Minister for Finance and Economic Planning (Mr. Gichuru): At the Government expense.

As for Miscellaneous Charges, Sir, I don't think I could promise that I would give a detailed answer, some of these items are not known, something might happen and then from this account it will be paid for.

As for equipment, I think it just requires a little common sense, which I think is lacking very much on the opposite Benches. Anybody who goes into the lounge will see a difference, the number of chairs as well as in other special rooms all the chairs and tables and so forth.

We all know very well that sometimes Members are very careless and they break glasses, they break other things too, and they have to be replaced.

For anyone to ask anything about uniforms, while every day you see the servants working wearing these very fine uniforms, grieves me. I think I have explained fully this particular item now, I am afraid I have nothing more to add.

Mr. Shikuku: On a point of information, Mr. Chairman, during my short speech I was trying to find out from the Minister whether we are actually paying any amount, or whether the Government is paying any amount of money to the County Hall, which is now being used by the Senators, and if so why not make use of this Parliament here, one of the big Committee Rooms. I don't think he touched on that question in his reply.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, a person who supports *Mojimbo* to come and say that the Senate should sit in a committee room is a negation of everything. They have to have a dignified hall in which to sit, and we are paying a small sum of money in the way of rent.

An Hon. Member: How much?

The Minister for Finance and Economic Planning (Mr. Gichuru): I am afraid I haven't got the figure here with me at the moment, but we do pay a small rent.

Mr. Shikuku: On a point of order, Mr. Chairman, Sir, I was going to ask another question, he says a man who believes in *Mojimbo*, we are talking about the economy.

The Chairman (Mr. De Souza): Yes, I know, Mr. Shikuku, but that has nothing to do with a point of order, unless Mr. Gichuru wanted to give way it is different. Do you want to give way Mr. Gichuru?

The Minister for Finance and Economic Planning (Mr. Gichuru): No, Sir, there is no question of withdrawing anything, this is common sense and we want to have a Senate and it is only right and proper that it should have a dignified meeting place. You can't just throw them up on the roof and still call them Senators.

Mr. Chairman, Sir, I beg to move.

Mr. Towett: Mr. Chairman, Sir, I just want to say a few things on this sub-head. The question asked by the hon. Member for Butere, Mr. Shikuku, was if there was any money being paid for the County Hall, and was that included in the £9,500 or not? The Minister in his answer said, that he did not have the figure now, he implied that this particular item is not included in this particular Head, in 3 G. Am I right in assuming that it is not included in this Head?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I was asked for a detailed analysis of this particular item and I did give it. Electricity charges, water charges and telephone and telegrams, uniforms, upkeep of gardens, upkeep of lifts and repairs, equipment and laundry charges, meals to staff, miscellaneous payments, advertisements for staff, upkeep of library. The question of the County Hall does not arise, it is not under this vote and I said so before. I answered that question and said perhaps it will come under the Works Vote, so that when that Vote comes up you could ask the question.

Mr. Towett: Mr. Chairman, Sir, I find that the Minister wants to speak, because what I wanted to ask if I was right in assuming that that figure was excluded from this, and if he had said "Yes, it is included" I would have been satisfied. Mr. Chairman, Sir, the Minister said that every person with common sense should have seen the improvements in the lounge and everywhere. Is he implying that this money we are being asked to foot now, has been already spent and the chairs and nice cushions we see all over the place were purchased with this money? Will the Minister for Justice, who has just come in from his long absence, keep quiet for a minute, Sir?

(Mr. Towett)

I think we have exhausted this particular item and for the information of the Minister, I beg to withdraw what he doesn't know.

(By leave of the Committee, the amendment was withdrawn)

(Head G agreed to)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move that the Committee do report to the House its consideration of Vote 3, National Assembly, and its approval of the same without amendment.

(The question was put and carried)

(The House resumed)

(The Speaker (Mr. Slade) in the Chair)

REPORT

VOTE 3—NATIONAL ASSEMBLY

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that the Committee of Supply has considered that a sum not exceeding £151,450 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June 1964, in respect of Vote 3—National Assembly, and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, I beg to move that this House do agree with the Committee in the said Resolution.

The Prime Minister (Mr. Kenyatta) seconded.

(Question proposed)

(The question was put and carried)

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 19—MINISTRY OF INFORMATION, BROADCASTING AND TOURISM

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onock): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

Mr. Speaker, Sir, in presenting the estimates for the Information Services of my Ministry for the year ending 30th June, 1964, it should be pointed out that unlike other sections of the Ministry, that is Tourism and Kenya Broadcasting Corporation, the Information Department is not a cash revenue earning Department but gives services to the public. The benefits must be measured in the improvement of the dissemination of information throughout Kenya. The policy of the Government is to maintain good will and create a link between the Government and the people, both here in Kenya and abroad.

Efforts are being made to keep estimated expenditure within the limits of last year's figures. It should be stressed, however, that there are no information services in the Northern Province and due to the introduction of regionalism some parts of our Ministry of Information will have to be altered.

In the new Constitution, Information is a Central Government responsibility. It is our policy that there should be an Information staff in the field to cover the activities of the regional authorities, so long (and I underline the expression "so long"), as these are in the interests of the country as a whole and so long as they do not conflict with the official policy of the Kenya Government. We are not, Mr. Speaker, Sir, going to put out any information which contravenes the policy of the Government. This is a very important matter and it must be made very clear that we have in the field people who are capable, who have been trained and who are doing a good job. They have been instructed how they are to handle the Government policy and how they are going to handle the regional authorities' activities. These are just general remarks and therefore I would just like to say a few things about tourism as it also falls within my Ministry. I would like to make clear to this House the policy of the Government, and to say that it is conscious of the fundamental importance of the Tourist Industry to the economy of this country. We also realize our responsibility to future generations to preserve the dwindling herds of wild animals, a unique heritage of our beloved country. To this end we have taken over control of this country, to affirm to all the nations of the world that we will create in Kenya a free society in which visitors of any race or creed can be assured of the warmest welcome from all our people and that is why, Mr. Speaker, Sir, I am trying to initiate a courtesy campaign. We shall probably use initials like BP, not the Shell Company, but "Be Polite". We want people to have a feeling that when they come to Kenya they come to a

[The Minister for Information, Broadcasting and Tourism]

country where people are behaving like human beings, although here I am talking about wild life, but wild life is only *Kali* in the game reserves. We want them to see us as a people that are proud because we are polite.

We also guarantee to maintain high standards of law and order so that there will be less need to worry over property than there would be in London, Moscow or New York. The Government will also study as a matter of great urgency, the necessity for facilities in Game Parks and the possibility of the provision of loans for local authorities for this purpose. But above all we are convinced that our aims in all these matters will be most satisfactorily achieved in the spirit of *Harambee*. That is that we pull together. I would like the Opposition to pull together with us and not merely pull in the opposite direction.

We tell our guests or visitors to Kenya that we want them to come, we like them, as they like us when we visit their countries and we want them to come and stay as long as they like and once they get back to their country we welcome them to come back to Kenya.

I would like to say a few things about the Kenya Broadcasting Corporation. As this Corporation falls within this Ministry, the sum of £165,000 has been included in the Estimates for the 1963/64 financial year. The Corporation was established by an Ordinance in 1961, as a successor to the former Kenya Broadcasting Service, and that, under the Ordinance, the Corporation is charged with grave and very important responsibilities. Our aim is to have the Kenya Broadcasting Corporation as a trusted partner in our nation-building and we do not expect the Kenya Broadcasting Corporation to be a mere spectator with unknown loyalties, or to remain neutral. To achieve a partnership with the Kenya Broadcasting Corporation we need people with great knowledge and deep loyalty to the country. At the moment we have these people; we have staff who are loyal and doing a good job for us, and there are a number of local people who are now studying various techniques of broadcasting and television.

On the board of directors I hope to appoint some politicians instead of just appointing civil servants to do the job. But the politicians, also, should know exactly what is happening on the board of directors of the Kenya Broadcasting Corporation and the appointments may be made from the three Ministries which are closely connected with the Kenya Broadcasting Corpora-

tion, namely the Treasury, the Ministry of Education and my own Ministry.

While still on this subject, Mr. Speaker, Sir, national unity cannot be achieved by a neutral approach. The Kenya Broadcasting Corporation's purpose is to help in bringing about national unity, to help us exploit and conserve our economic resources and, inspire our people, to have greater self-respect.

In this country, we have also been asked about African socialism, and this can easily be defined by outlining the attributes and the failures of both the East and West in Africa. It is a challenge to us; therefore we must bring in a society of our own, and here we expect our living instrument, the Kenya Broadcasting Corporation, to help as much as possible. We are expecting it to play a big part. I have been asked whether the Kenya Broadcasting Corporation is going to remain independent. This I do not understand; probably in the eyes of the Opposition it may mean a vehicle of hostility and intrigue, undermining the existing stable Government.

Mr. Alexander: Will it be impartial?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onock): My answer is that we must live up to the enormous responsibility which we have assumed.

Not only must we create an image of Kenya, but it must be a true image. It must bind the people to their nationhood—nationhood to which men have devoted their lives and suffered to achieve. It must inform and inspire the people, but it must not ignore responsible opposition. If the Opposition is responsible the aim of the Kenya Broadcasting Corporation should be not to ignore them. I hope the Kenya Broadcasting Corporation has the right to ignore irresponsible opposition.

The Kenya Broadcasting Corporation cannot be independent if this means neutrality, which may be misused by other people. At the moment we are running the Corporation because Government is providing the money.

The Kenya Broadcasting Corporation must be dedicated to the work of the country. Above all, it must be a living instrument, proud of truth, rooted in faith in our future and ourselves.

I do not see why, Mr. Speaker, Members of the Opposition should be so very keen about the independence of the Corporation, as though it was their aim to destroy the Government. I am speaking as both. I must have my freedom. Mr. Speaker, to express the policy of the Government and also what I feel is the right thing. Mr. Speaker, Sir—

The Speaker (Mr. Slade): Mr. Oneko, you must be careful about the motives imputed to the Opposition. I do not say that you have gone too far, but you were getting rather near the edge.

The Minister for Information, Broadcasting and Tourism (Mr. Achungi-Oneko): Thank you very much, Mr. Speaker. I am almost coming to the end of my remarks and I would like to say that on the tourist side the promotion of tourism is worth £81 million a year to the East African territories. This figure is based on an average expenditure in East Africa of 45 a day by documented instances. Kenya's share of the East African tourist trade is about 61 per cent and it is worth about £5.2 million. The promotion of tourism is carried out mainly by the East African Tourist Travel Association which is a representative of all segments of the tourist industry, including Government, hotels, airlines, shipping companies and various commercial firms. Well, we need to improve and to develop tourism in Kenya and there are three main needs.

First, expansion of the main lodges until they can accommodate about sixty guests each. Secondly, improvement of tourist tracks and roads in the game reserves or game areas. This is important, Mr. Speaker, because so many people when they visit the game parks leave the main roads and wander about the parks. It has two disadvantages: first, it disturbs the animals and it interferes with their social life. By interfering with the social life of animals we reduce the number of production or the number of animals in the parks. Thirdly, we wish to increase the publicity which is now also under the East African Tourist Travel Association.

Mr. Speaker, with these few remarks I think it will give the House ample chance to debate or to query, whatever they wish to do. Thank you Sir.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

Mr. Seroney: Mr. Speaker, Sir, I wish to congratulate the Minister for Information, Broadcasting and Tourism on his appointment to the position he now holds and I would like first of all to start by confirming my support, on this side of the House, to that part of the non-contentious business, namely tourism. We are anxious, Mr. Speaker, on this side of the House, to encourage tourism in this country and we shall lend every possible support to the Minister towards that end.

Having said that, Mr. Speaker, I can only express some surprise at the speech of the hon. Minister which he has just given, because it sounds more as if he is trying to promote his Ministry into a propaganda department rather than a Ministry of Information. No doubt what is to the Government information may be to other people propaganda. We do not mind that, but I was shocked, Mr. Speaker, at his explanation of the role of the Kenya Broadcasting Corporation. We, on this side of the House, have had misgivings about the Kenya Broadcasting Corporation. Not so many months ago we passed an Ordinance in this House which was supposed to make the Kenya Broadcasting Corporation an independent corporation. I am sorry to say, Mr. Speaker, that in our view the Kenya Broadcasting Corporation has not been so independent.

During the opening of this House I watched on television a picture of the proceedings. I expected that whoever was taking pictures up there, or wherever he was, would also take pictures of the Opposition. Instead, it seemed to be directed always on the Government side. This, Mr. Speaker, is not independence. The Government has every means of spreading its information, or its propaganda for that matter. But it will be a travesty of the original intention of the establishment of the Kenya Broadcasting Corporation if the Kenya Broadcasting Corporation is to be transformed into a department of information of the Government, or presumably a department of propaganda.

We have, Mr. Speaker, an excellent example of the British Broadcasting Corporation and I do not understand why the Government cannot adopt the good example of the British Broadcasting Corporation. The Government, like anybody else in the country, can give its information to the Kenya Broadcasting Corporation and the Kenya Broadcasting Corporation, if it is an independent body, will give adequate coverage to that information. I was shocked, Mr. Speaker, at the idea of putting politicians as directors of the Kenya Broadcasting Corporation.

An Hon. Member: Who is this politician?

Mr. Seroney: It does not matter, Mr. Speaker. I thought we agreed in this House not so many months ago that the Kenya Broadcasting Corporation—an hon. Member said I was not here, I doubt whether he was here. I was here. Mr. Speaker, Sir, I would like to urge the Government to distinguish between the department of Information which can disseminate whatever propaganda the Members opposite wish to disseminate, but it will be a tragedy if there is no

[Mr. Seroney]

order either in the form of newspapers or in the form of the Kenya Broadcasting Corporation which can report impartially whatever happens in this country.

We are in danger, Mr. Speaker, if we accept a concept that the Government can take charge of broadcasting in order to disseminate Government policies and allow the contrary opinions no chance of reporting their views: we are in danger. Mr. Speaker, of going into such a state from where there is no longer any freedom of expression. The hon. Minister has said that he does not wish the Kenya Broadcasting Corporation to be used as an instrument for disturbing the Government. I do not think anyone wishes to do that, but there must be an adequate chance of criticism and that cannot be done if Government abandons the original policy of having the Kenya Broadcasting Corporation as neutral—and I emphasize the word "neutral"—because unless we have the Kenya Broadcasting Corporation as a neutral body it can just be another section of the Department of Information and not an independent Kenya Broadcasting Corporation.

I would therefore ask the Minister to think carefully before appointing politicians as directors—whether from the Opposition or from the Government—on to the Board of the Kenya Broadcasting Corporation.

The Government, as I have said, has every chance of making its views known. Whatever the Minister for Information issues, I am sure the Kenya Broadcasting Corporation would not ignore it and they would publish it. I would urge that in this country we stand firmly on a society in which there is freedom of speech, freedom of expression and, above all, a means to achieve that; and that we should not be misled by having all organs of propaganda monopolized by the Government.

Mr. Ndle: Mr. Speaker, Sir, the Minister for Information and Broadcasting has brought to mind the social amenities for which we are working hard to be enjoyed by the people of Kenya and the Minister for Information and Broadcasting and Tourism has not, to my mind, indicated sufficiently what steps he intends to take or what steps the Government intends to take to increase information services. I know the Information Service in Kenya started in small towns or towns like the Nairobi and other big towns and that because of that historical background lots of areas have been omitted and there has been suffering from that lack of spreading of the information services. As he has mentioned, people in the

northern provinces have not been given enough facilities by the Information Service. I think it is the duty of the Minister for Information and the Government to see that people in the Northern Frontier and people everywhere in Kenya are given ample opportunity to enjoy the same privileges as other people of Information Services, and I think that soon the Government intends to shift one of the information centres from Kisumu to the Eastern Region. I welcome that idea because I know that the Eastern Region Information Services have been lacking. I must make this proposition to the Government that as we have now about seven regions, whether the Government likes it or not, it is the duty of the Government to have regional information officers in the regions so that in each region all the amenities from the information offices are spread equally over all areas.

Secondly, he has touched upon the tourist industry. This is, I know, a new industry in Kenya, but it is full of possibilities. Kenya is a land of wild animals; East Africa is a land of wild animals, and we must take that chance. It is a gift from nature itself and I think it is the duty of the Government to exploit the tourist industry to the fullest extent. I have noted that the East-African Travel and Tourist Association have been allotted about £7,000 to promote or boost the tourism industry. I would ask the Government to double that amount so that we could increase the tourist industry with the aim of doubling the income of this country and unless we do that we shall lose the natural gift given to us by nature. Our country will then have something with which gradually to exploit the tourist industry.

I would like to make a remark about the Kenya Broadcasting Corporation. I know that in some countries like Russia people have been conditioned to such an extent that they all seem to laugh at the information from the outside world and the Government seems to pursue the same line and begins by the Kenya Broadcasting Corporation as a sort of Government propaganda. I think that would be very treacherous by the Kenya Broadcasting Service or the Kenya Broadcasting Corporation. It must be an independent organization or corporation which should give impartial information to all Kenya people. If that is done there will be no cry from the Opposition or from the people of this country and that is what we want. We want an independent organization whereby information of every sort comes and comes out. If that is done I am sure we would be serving our people correctly.

[Mr. Ndile]

We have been talking about African socialism and I mentioned in my maiden speech that African socialism is qualified and it seems to have a peculiar connotation. I do not know what African socialism means; what we really need is socialism in its fullest extent—equal distribution of wealth to all citizens, not to Africans; that word must not be qualified. This sort of narrow African socialism might actually lead us into wrong lines of thinking. What we want is a socialist country here, devoted to the interest of all people whether they are Africans or Europeans or Asians, anyone who calls himself a Kenyan should be embraced by that wide concept of socialism. If we do that, I am sure all sections which are not primarily African will not suffer because they happen not to be African, but everyone in Kenya will enjoy equal distribution of wealth. If we work on those lines, I am sure Kenya will emerge as a very strong socialist country embracing all aspects of life, marching towards complete fulfilment of socialism.

With those remarks, Mr. Speaker, I beg to sit down. Thank you.

Mr. De Souza: Mr. Speaker, Sir, I want to congratulate the Minister for Information, Broadcasting and Tourism not only on his appointment but for the very eloquent, positive and forceful speech that he has delivered to this House this afternoon. Sir, there are lots of us who were aware of the fact that until the elections we were very dissatisfied with the Kenya Broadcasting Corporation. Had our party not formed the Government, I would have been the first to move that it would be wise to appoint a commission of inquiry to find out exactly how the News Department worked and what political approach the Kenya Broadcasting Corporation has. However, Sir, I am fully aware that the new Minister is as conscious as I am myself of the shortcomings that existed in the Kenya Broadcasting Corporation before this Government took over, and I am sure that with the dynamic approach of our Government we will make sure that there is a new approach and a thorough clean-up in the Kenya Broadcasting Corporation to make sure that it suits the new Kenya and, in fact, is in conformity with the new spirit and idealisms that now prevail in this country.

There are some people who think that the Kenya Broadcasting Corporation should be a sort of branch of the British Broadcasting Corporation or a sort of Post Office, or some kind of independent news service at Broadcasting House. Sir,

with great respect, I would like to say that the British Broadcasting Corporation is not a neutral organization but a strongly nationalist British organization, who view the news and current events from a British point of view.

But the point is that an organization like the Kenya Broadcasting Corporation cannot, in the context of its formation, be completely neutral, because the commentators and other people must express their views. But, frankly, Sir, there is a great deal in the method and in the way in which they choose their commentators.

The Speaker (Mr. Slade): Mr. Kati, I think you have forgotten the rule of passing between the Chair and hon. Members who are making a speech. It is in order to bend low down, if you have to pass that way.

Mr. De Souza: I was saying that in the distribution of news an organization like the Kenya Broadcasting Corporation can, in fact, greatly influence the minds and the thoughts and the ideals of the people of this country. I do not merely wish to say that the Kenya Broadcasting Corporation cannot be a Post Office, but I go further, and I say that it is the duty of the Kenya Broadcasting Corporation to express the will, the inner-will of the people of Kenya; to further ideals like world peace, Pan-Africanism and to oppose things like apartheid in South Africa and many other important items of politics, which it is vital for us that we should express to the world at large. So, it is very important for them to express the views of the people of Kenya. I do not consider that it should be a neutral clearing house for news. I do not want to go into all the other details, but I do ask the Minister to ensure that we have in the Kenya Broadcasting Corporation an alive, dynamic, positive, and strong movement in building a Kenya nation, a nation that we can all be proud of in the context of an East African Federation in the world at large.

Mr. Ngala: Mr. Speaker, Sir, I congratulate the Minister for the way in which he introduced the Vote. But I think there are two very major points of principle, which I would like to clear with the Government.

The first one is that nobody denies this Government the right to be alive, dynamic and as strong as they want. There is no question about that. But, here is a question of principle—Is the Kenya Broadcasting Corporation an independent corporation or not?—We would like a definite reply from the Minister on this question. The Minister, himself, said that he was running the Kenya Broadcasting Corporation, if he is running

[Mr. Ngala]

the Kenya Broadcasting Corporation how can it be an independent corporation? Presumably, he is giving instructions to the officers of the Corporation. He is telling them what to do. He is almost telling them what music to play in the music period. The Minister should tell this House if he is really serious when he says that he is running the Kenya Broadcasting Corporation, taking into consideration what we were told last year that it was going to be an independent corporation. If that has changed then the Government should be brave and honest enough to come forward with another Bill to change the whole system. We want a very definite reply on this, because the freedom of the people to express themselves is very much at stake, and there is a danger and a threat to the whole country. Mr. Speaker, I would like to give one example. Last week, I was listening to the music period and in the music period there came across the air two songs that were completely about politicians. Over thirty minutes were taken up with singing the praises of politicians. Was the Minister responsible for this? If it was a mistake we should like to be told.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order. As substantiation can we have the hon. Member sing the song?

The Speaker (Mr. Slade): I am sure that the House would be delighted if the hon. Member would go that far, but I do not think that he need.

Mr. Ngala: I am not, for the information of the Minister, a singer. This is not a laughing matter, as the Minister seems to think. We want to know why if the Government have a music period devoted to them the Opposition only have a few minutes a week. I would ask the Director of the Kenya Broadcasting Corporation to think, and I would also ask the Minister to state whether his idea of running the Kenya Broadcasting Corporation was true. If the position has changed then we should be informed of this. We do not want steam-rolling from outside as far as the Kenya Broadcasting Corporation is concerned. I hope that the Minister will give us a clear assurance that the independence of this body is still being maintained by the Ordinance that was passed in this House.

Secondly, Sir, I would like to know whether the items put over the air are checked and who checks them. Does the Director of Kenya Broadcasting Corporation get direct instructions from the Minister concerned?

I do not think that anybody would deny the right of the Corporation to determine what news is of importance or what approach is of importance in matters such as Pan-Africanism; or even in matters of the decision of the Goans in Kenya, or Angola, or any place. Nobody is challenging the discretion of the Director of the Kenya Broadcasting Corporation and his Corporation. But here we are concerned with the interference of the Government. The Minister says the Government is running the Kenya Broadcasting Corporation and this implies that it is not independent at all.

Sir, on the question of information, I would like to express my deep regret over the said failure of the Minister in giving information to the public, particularly in remote places, on such matters as the context of the Constitution and its implications: The Department of Information has very sadly failed. It has not been able to explain to the ordinary person in remote places what the position is as far as the Constitution is concerned. This *Mojimbo* Constitution. This is reflected in this very House, in that some of the hon. Members on the Government side are not given this information. If some of the Members do not know about the Constitution it really reflects badly on the Department of Information.

Now, I am not talking of the ignorant Members on the other side, but the ordinary African in the remote places.

The Speaker (Mr. Slade): Point of order.

Mr. Kamau: Mr. Speaker, Sir, is it in order for an hon. Member of the Opposition to call the Government Members ignorant.

The Speaker (Mr. Slade): Yes, it is in order. I must, however, qualify that ruling. It is not in order to call hon. Members "ignorant people," but it is in order to call them ignorant on a particular subject.

Point of Order?

Mr. Kamau: Sir, is it in order to say "ignorant hon. Members" or "ignorant Members"?

The Speaker (Mr. Slade): Order. I suppose you can take your choice between hon. ignorant Members and ignorant hon. Members. Mr. Ngala, carry on.

Mr. Ngala: Mr. Speaker, Sir, I hope the Minister, when he replies, will give us some explanation as to how the Department of Information is working in the remote places in giving the people a clear picture of the Government's intention on various matters, so we have an enlightened public in these remote places. I am not talking of the

(Mr. Ngala)

townships such as Nakuru, or Mombasa, or Nairobi, or Kilifi Township, but I am thinking of the really remote places.

Coming now to tourism. This question of tourism, Mr. Speaker, Sir, is one on which I hope I shall have a further opportunity to speak in detail. The Minister has talked about expansion, but I would like to know what help he is going to give to some of the regions that have potential tourist attractions. I am thinking of the Coast Region as an example, around Malindi, which has great potentiality as a tourist resort, and many tourists and travellers already to go to Malindi, and the Airways have expanded their services there as it is such an attractive holiday resort. I would like to know what money the Minister is going to make available to the regions for the developments. It is no use telling me that it is up to the regions, because tourism is one of the main future developments of this country and one that we have agreed to be centrally administered. We need money, however, to implement the developments in the regions.

I would like to say, Mr. Speaker, that the Opposition deprecates the Minister's attitude.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I will be very brief. It is unfortunate that the Opposition gets too involved in generalizations and forgets what the issues really are. The Leader of the Opposition was quite carried away by his own oratory and forgot that until the end of May he was himself a Minister responsible for this service and has been for a long time. And many of the things that he now asks should be done he could have done and yet never did.

Mr. Speaker, Sir, the principle is very simple, and although the hon. Leader of the Opposition has alluded to ignorance on this side of the House, I am surprised at the ignorance of himself and of his colleagues.

On page thirty-two of the Estimates of Recurrent Expenditure 1963/64, it will be seen that under Item H, the Kenya Broadcasting Corporation has subvention of £165,000. On the second page 32A, on the explanatory notes, he will read, paragraph 4, "the total number of posts provided in the establishment of this Ministry is 294 of which 101 posts are held by staff on secondment to the Kenya Broadcasting Corporation". Mr. Speaker, the Kenya Government pays money towards the running of this Corporation. The Kenya Government is as interested in this Corporation as anybody else, if not more interested, than some of the Directors. It is an important service, and

not only a service, it is an important vehicle for the dissemination, not only of news but also for education and the creation of the attitude of mind or approach to things that this country needs. It cannot be overlooked by the Opposition or anybody in this country that a Corporation such as this and a service such as this, is of great interest in so far as the policies for development and advancement of this country is concerned. It is natural and logical that the Government should be interested in the attitude and approach of the Corporation in its broadcasts and its policies generally. There is nothing at all that is inconsistent with the Government's interest in this Corporation and the status of independence that it is given by the legislation to which the Opposition has referred. The question is what does the Opposition regard as independence for the Corporation, and of this we have had only one example. The independence of the Corporation to which the Opposition refers is mentioned in this respect. That on one day the Leader of the Opposition happened to be listening to a music programme and he was very hurt because they did not mention him.

Now, Mr. Speaker, is it seriously suggested that because in a music programme the Leader of the Opposition's name was not mentioned, that the Corporation is not independent? Have we been told, Mr. Speaker, in the House, a single incident on which these general charges have been made? Not one, except the generalities that we are becoming so used to hearing from the Opposition in this House, just for the sake of the Opposition. Mr. Speaker, Sir, if what the Opposition wants is a Corporation that is indifferent to the development and progress of this country, then I say now, that the day we are convinced that this Corporation is indifferent to the development and progress of this country, that day we shall close it down. There can be no question of this Corporation or any other body in which Government has an interest, and in which public money is spent, being indifferent.

The last point I want to make is that the Members on the other side speak on this occasion and have spoken on several occasions before as though this Government was a hostile foreign body which does not represent the people of this country. It is true that there is an Opposition. It is true that he has to be recognized, but it must be clearly understood that it is not just the Opposition which represents the true feelings or policies of this country. This Government has a duty, a responsibility and a function to carry out policies that are consistent with what we know is required by the people of this country. To that

[The Minister for Justice and Constitutional Affairs]

what we will do it through the Kenya Broadcasting Corporation and any other agency, and even if it means through music. Mr. Speaker, Sir, to be very frank, I have nothing at all against the Government running the Kenya Broadcasting Corporation if that is necessary.

We must get back to the position which the Opposition has been trying to put to the House and which the Opposition has made no effort whatsoever to substantiate or to produce tangible facts or incidents to support their general allegations. I challenge the Opposition when any of them speak again not to make general accusations as they have been doing but to produce incidents, tangible ones, not the music where the Leader of the Opposition's name was not mentioned, tangible ones in which they believe the Kenya Broadcasting have erred.

We are not saying that the Kenya Broadcasting Corporation has been perfect, we know there are aspects in it which must be looked into and the Minister has fully referred to these, and intends to do something about it, unlike the days when the hon. gentleman was in charge of it. We do want, Mr. Speaker, to say this in general, that the Government's attitude on this and other issues, including information, is based on the complete understanding and recognition that in order that our country shall develop as rapidly as it needs and must, it is necessary that the medium of contact between the Government and the people shall be as effective and as efficient as possible. It is necessary that the people shall understand fully the policies of the Government and the trend which the country is required to take. We do not regard the promotion of these ideas and attitudes as any interference with the independent status of the Kenya Broadcasting Corporation. On the contrary, we consider that the Kenya Broadcasting Corporation and any other such agency has a duty and a responsibility to promote these policies that the Government is putting forward and to help in creating the kind of atmosphere which will help this country develop and move forward in the progress to which this Government is committed.

If the Opposition think that the Kenya Broadcasting Corporation should be merely an instrument of promoting discord, disunity, tribalism and all the rest of it, they are making a big mistake. That is not essentially what the Kenya Broadcasting Corporation should be required to do, in our view. We are not saying that Opposition speeches in this House or outside should not be

referred to; in fact, when you listen to the broadcasts in the last few weeks quite a lot of what the Opposition have said in this House and outside has been covered. If that is not independence and impartiality, then I should like to know what is. To refer to one single television broadcast in which, I understand, the hon. gentleman was hurt again because he did not appear on any of the pictures; this kind of approach is so childish. But many times leaders of the different Opposition parties have appeared on television for quite a lot of minutes and many times in a week or a month.

Mr. Speaker, Sir, in a few minutes the Prime Minister is making an important statement and I do not want to delay the House from listening to this, but I say to the Opposition and to the country generally that what this country needs is no longer reckless generalizations and oppositions, that this country needs now is constructive thinking of what we want to build and we are not going to build it by coming here and complaining of such petty things.

The Speaker (Mr. Slade): Mr. Kenyatta, I do not know if it will suit you to start making your speech one minute early?

The Prime Minister (Mr. Kenyatta): That is all right, Sir.

The Speaker (Mr. Slade): Then will you please proceed.

(Interruption of Business at 6.00 p.m.)

PAPER LAID

The following Paper was laid on the Table:—
Seasonal Paper No. 2 of 1963, Preparations for Kenya's Independence.

(By the Prime Minister (Mr. Kenyatta).)

MINISTERIAL STATEMENT

DATE OF INDEPENDENCE FOR KENYA

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, it is my great honour and privilege to be able today to make this very important announcement affecting the future of our country. This is the announcement for which the whole country has been waiting over the last few days, but, what is more, it is the announcement for which our country and the people have hoped during the entire period of our struggle against colonialism and imperialism. Today I shall announce to the House and to the country the

[The Prime Minister] the date of Kenya's full independence; in other words, the date when our struggle against colonialism ends permanently.

During the Election campaign my party promised the country full independence as soon as possible within 1963. We also promised that we would not compromise on the question of the removal of British bases and, thirdly, we promised to strive in co-operation with our neighbouring territories to establish as soon as possible an East African Federation. I am glad to be able to say to the country today that these promises, made to the country during the Election campaign, are being fulfilled as promised.

The first task of my Cabinet when sworn in on the 1st June was to send a three-man mission to meet the leaders of Tanganyika at Arusha, and since then we have worked together with the leaders of Tanganyika and Uganda in preparation for an East African Federation within 1963. A full statement on this question will, I hope, be possible within this month. Following on this action in the first week of our Government we sent a message to the United Kingdom Government asking for a meeting with the Secretary of State to discuss the next step in Kenya's movement towards independence.

On the 14th June a Ministerial Delegation led by the Minister for Justice and Constitutional Affairs, and including the Minister of State in the Prime Minister's Office and the Minister for Pan-African Affairs, with the new Attorney-General as legal adviser, left for London. This Ministerial Delegation held talks with the Secretary of State for the Colonies and Commonwealth Affairs and returned to Kenya on the 25th June. I am glad and proud to be able to tell the House and the country that this Delegation was a tremendous success and they came home with complete victory on all the points that they had been detailed to discuss with the British Government. It is unfortunate that it was not possible, due to the procedural problem, to announce the conclusions of the discussions in London immediately on return of the Ministerial Delegation. I thank everyone for their patience and restraint.

I have pleasure now in announcing to the House the conclusions of the London talks. Mr. T. J. Mboya, Kenya Minister for Justice and Constitutional Affairs, had talks in London in June with Mr. Duncan Sandys, Colonial Secretary, about future constitutional development in Kenya. Mr. Mboya was accompanied by Mr. J. Muriumbi, Mr. M. P. Koinage and Mr. C. Njonjo.

In the course of the discussions, the Kenya Ministers outlined the progress made in working out the constitution for the proposed East African Federation, which would comprise Kenya, Tanganyika and Uganda, and possibly also Zanzibar, if it so wished. Mr. Sandys once again assured the Kenya Ministers that the British Government, which has long believed in the idea of an East African Federation, supports fully the initiative taken by the East African Governments and will do all it can to facilitate the early implementation of this aim.

It was agreed that it was desirable that Kenya should become independent shortly before the inauguration of the Federation, which it was hoped would take place before the end of the year. In this connection, the Kenya Ministers pointed out that if the Federal Government wished to apply for membership of the United Nations during the next Session of the General Assembly, their application would have to be submitted by the third week in December.

In the light of these considerations, Mr. Sandys agreed to convene a Conference in London towards the end of September, the purpose of which would be to settle the final form of Kenya's Constitution. Representatives of the Government and Opposition parties in the Legislature and of the European Community will be invited to attend. In order to facilitate the work of the Conference, preparatory discussions will be held in Nairobi.

Having regard to the date envisaged for the inauguration of the Federation, and subject to the necessary steps being completed in time, Kenya will become independent on 12th December, 1963.

It was agreed that the retention of a British military base in Kenya after independence was not desired by either the British Government or the Kenya Government. It was recognized, however, that the orderly rundown of British forces after independence would inevitably take time. It was agreed that the withdrawal of these forces should be effected over a period of up to twelve months from the date of Kenya's independence. The question of the defence facilities which British and Kenya might be able to offer each other after independence would be a matter for further discussion between the two Governments. The Kenya Ministers undertook that, in the event of responsibility for defence matters being transferred to the Federation, such transfer would be effected without prejudice to this agreement between the British and Kenya Governments.

(The Debate continues)

[The Prime Minister]

It was recognized that, before the date of Kenya's independence, there would have to be discussions between the British Government and the Government of Zanzibar about the future of the Coastal Strip. These discussions will be arranged as soon as possible and, as previously agreed, the people of this area will be given the opportunity to make such representations as they may think fit through the Governor of Kenya.

The Kenya Ministers informed Mr. Sandys of talks which had taken place, in Nairobi, with the Foreign Minister of the Somali Republic and of the intentions of the Kenya Government to have further discussions. I am sure the House, and the country, would like me to express our gratitude and appreciation to the Minister for Justice and Constitutional Affairs and to his colleagues, the Minister of State in the Prime Minister's Office and the Minister of State for Pan-African Affairs and Attorney-General for the work they have done on our behalf and on behalf of Kenya and for the success of the London talks. I know that the House would wish to join me in extending my Government's appreciation to Mr. Sandys for his co-operation and understanding either in dealing with our effort to achieve independence within 1963.

Now that we all know the result and especially the date of Kenya's independence and since we have also resolved the future of the British Military Bases and are firmly committed on Federation I would like to call upon the whole country to co-operate and work vigorously with the Government for the smooth and peaceful fulfilment of this our objective.

The future lies in that co-operation and acceptance of responsibility by each and everyone of us. We in the Government accept fully our responsibilities, but that is not enough unless that spirit in the Government is supported by a similar spirit and resolution on the part of all members of this House and the public at large.

I would like to point out here that we have recognized the right of the Opposition and I will hope that the Opposition on its part will appreciate its responsibilities and duties to Kenya. We must all agree that negative and destructive opposition can only do harm. We will accept fair and constructive criticism in any quarter, but the country cannot afford actually to have negative and destructive opposition.

Let us move forward in a spirit of *Harambee* and let us move forward in a spirit of unity, co-operation and hard work.

H 29-16 pp.

The Speaker (Mr. Slade): Order, order. It will be in order for hon. Members to ask questions of the Prime Minister which are honestly seeking information but not anything in the nature of contentious questions.

Mr. Ngata: Mr. Speaker, Sir, while registering my appreciation and the appreciation of the Opposition of the statement by the Prime Minister, I feel that I have one or two questions to put to the Prime Minister.

First, I would like to know whether the delegation, to which we also want to give our appreciation and gratitude for the work they did—*Uhuru*, is not the work of the Opposition and the Government; it is the job of the whole country—raised the question of the Somali problem and, if so, why it is not given any place in the statement of the Prime Minister.

The other point, Sir, that I would like to know is whether the European representation will be outside the Parliament or within the Parliament, because the position has changed since the elections.

I do not know whether the Prime Minister would be patient and let me finish my third point, Sir.

The Speaker (Mr. Slade): It is better not to ask too many questions at once.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, if the Leader of the Opposition was not perhaps occupied otherwise, he would have listened to me and heard me mentioning the Somali business. It is stated in the Seasonal Paper that we have had talks with the Foreign Minister of the Somali Republic.

As to the next question, whether the Europeans will be represented from this House or outside this House, my answer to the hon. Member is, outside the House.

Mr. Omar: Mr. Speaker, Sir, the Prime Minister mentioned that the views of Coast Members will be sought before full independence is granted to Kenya. If that is correct, Sir, does the Prime Minister mean that it is only the elected Members from the Coast Region who will be asked their views on the future of the Coast?

This is my second question. Supposing the Coast people are not satisfied with the amount of autonomy or their desire—

The Speaker (Mr. Slade): Order, order. Hon. Members must allow Mr. Omar to be heard, otherwise you are simply wasting the time of everyone.

Mr. Omar: Mr. Speaker, Sir, I was asking this question. Supposing the Coast people will not be satisfied with the amount of autonomy or their demand over the future of the Coast Region, is there any other arrangement which will be made between the Coast people and the British Government?

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I think that here again the Opposition have not been listening. If they had been listening when I was talking they would have heard that it is not the Member for the Coast, or Member of the Coastal Region, here we talk about Coastal Strip. As previously agreed the people of this area, meaning the Coastal Strip, will be given the opportunity to make such representations as they may think fit through the Governor of Kenya.

Mr. Ngala: Mr. Speaker, Sir, perhaps the Prime Minister is not aware that the Member who is asking this question comes from the Coastal Strip and represents the Coastal Strip. I would like to ask whether the Prime Minister is in a position to explain how provision will be made as far as the Coastal Strip representations is concerned, because last time it was from the Members who represented that Strip and the hon. Mr. Omar represents a portion of that Strip. The question here, Sir, is how the representation is to be determined, whether through His Excellency, the Governor, or through the Kenya Government. A second point, Sir, I think I heard the Prime Minister saying that the Government of Kenya would have negotiations with the Sultan of Zanzibar, I stand to be corrected on this. But if that is true, then I would like to know what parties would be included in these negotiations between the Government of Kenya and the Sultan of Zanzibar.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I think the hon. Member, the Leader of the Opposition, knows very well that the people of the Coastal Strip will be given an opportunity to make representation if they think fit, how and when the matter will be arranged it will be for the people of the Coastal Strip to decide, and to appoint their delegation when the time comes.

Mr. arap Moli: Mr. Speaker, Sir, I should like to know from the Prime Minister about the Masai treaties which were not finalized in the Constitution.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I think that the Opposition are out of date. The question of the Masai agreement

was settled finally at Lancaster House. My hon. friend was there when the settlement was made.

Mr. arap Moli: I should like, Mr. Speaker, to pursue this matter further. In the Constitution there were matters affecting the Masai, such as areas A and B, which were to be resolved by the Kenya Government here in Kenya during constitutional discussions, and at Lancaster House the Masai people were assured that they were going to meet H.E. the Governor to finalize matters, but this has not been done. I want to remind the Prime Minister about it.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I do not think the question of the Masai arises, and if this question is raised this discussion will be undertaken here in Nairobi so a representative can be instructed in this to raise the question then because that will be the proper place.

Mr. Ngala: Mr. Speaker, Sir, can the Prime Minister give an assurance to this House that this Government sessional paper will be a subject for a debate very soon.

The Prime Minister (Mr. Kenyatta): No.

Mr. Omar: Mr. Speaker, Sir, the hon. Prime Minister has not replied to one of my questions and that was whether only the elected Member from the Coastal Strip will have an opportunity of seeing the Governor. There are three Specially Elected Members from the Coast, and I understand that two of them are living in Mombasa, which is in the Coastal Strip. I want to have an assurance from the Prime Minister that only the elected Members from the Coastal Strip will see the Governor.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, it is not a question for this House to decide whether the Governor is seen or not. It is the duty of the people at the Coast or anywhere in Kenya to decide when they want to see the Governor, as he is free to see them at any time.

Mr. Omar: Mr. Speaker, my question is not answered. What I have asked and what I expected to be answered, Mr. Speaker, is whether only the

The Speaker (Mr. Slade): You have had all the answers you are going to get, Mr. Omar. If you have another question, you have just time to ask it.

Mr. Omar: My question was whether the Government of Kenya will allow only the elected Members—

The Speaker (Mr. Slade): That is the same question. Sit down.

Mr. Seroney: After the reply of the hon. Prime Minister—Mr. Speaker, does it mean that if we on this side move to have that paper debated the Government would not co-operate?

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I do not think the paper is for debate, and this is a final decision.

Mr. Sono: Mr. Speaker, Sir, regarding the Coastal Strip, I would like to ask the Prime

Minister to make it clear whether the Liwali for the Coast, who is the representative of His Highness the Sultan of Zanzibar, will be invited to these talks.

The Prime Minister (Mr. Kenyatta): No, Sir, I think the negotiations should be between the British Government and the Sultan of Zanzibar.

ADJOURNMENT

The Speaker (Mr. Slade): It is now time for the interruption of business. The Council is therefore adjourned until tomorrow, Wednesday, the 3rd of July, at 2.30 p.m.

The House rose at thirty minutes past six o'clock.

Wednesday, 3rd July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—
The Accounts of the European Hospital Treatment Relief Fund for the year ended 31st December, 1962, and Report thereon by the Controller and Auditor-General.

(By the Minister for Health and Housing (Dr. Mungai))

NOTICES OF MOTIONS

Mr. Ngugi Mr. Speaker, Sir, I beg to give notice of the following Motions:—

AMNESTY FOR EXILED PERSONS

THAT this House urges the Government to grant an amnesty to all persons exiled in neighbouring countries on account of activities in the years of the Emergency, so that they can return to Kenya for the national independence celebrations.

TRAINING PROGRAMME FOR EX-DETAINEES

THAT this House urges the Government to formulate a programme of training and assistance for ex-detainees and ex-prisoners to fit them for useful occupation in the service of the country.

MWEA/TEBERE SCHEME: LAND RIGHTS

Mr. Gleboya: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in order to protect the rights, both legal and traditional, of the people of Kiinyaga in Mwea/Tebera, the control of the Mwea/Tebera Irrigation and Rice Scheme be vested in the Kiinyaga County Council.

ORAL ANSWERS TO QUESTIONS

Question No. 10

NAIROBI MAYOR AT AIRPORT

The Speaker (Mr. Slade): Mr. Kall, your question now, I think.

Mr. Kall: Mr. Speaker, Sir, I wish to withdraw.

The Speaker (Mr. Slade): I am not sure that there is any procedure for withdrawing a question

that is on the Order Paper. The Minister may say that in view of the attitude of the questioner he does not propose to answer.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, after discussing the question with the hon. Member, and as he has decided to withdraw it, I will not answer.

Question No. 11

EVICTED LABOURERS IN TRANS NZOIA

Mr. arap Cheptkik asked the Minister for Lands and Settlement: Is the Minister aware that European farmers in Trans Nzoiia are evicting labourers on farms in Trans Nzoiia District? What steps is the Minister taking to resettle these evicted labourers?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I beg to reply. I am aware that farmers in the Trans Nzoiia are discharging and, where persons fail to obey the law, are taking eviction proceedings against some of their labourers. These discharges, which are a natural consequence of agricultural economics and which are not greater in extent in the Trans Nzoiia than in other farming areas in the country, have been necessitated for two reasons. First because farms are changing hands in the Kitale District as a result of the sales of farms which have taken place and are taking place in the settlement areas to the Land Development and Settlement Board and to its successor the Central Land Board, and because some farmers who have sold in settlement areas have been buying farms in the Kitale area and are bringing their own labour forces with them and are unable to employ the outgoing farmers' labour forces in addition to their own. Secondly, because farmers, as a result of the economic position prevailing at present in the country, are only at present receiving one-half of their normal planting advances. They therefore have no work for their full labour force and on purely economic grounds have had to discharge some of their labourers. This is a situation which is governed not only in Kenya but also throughout the other nations of the world, by economic factors and which will improve only in the measure that Kenya makes progress in the future.

I can take no steps to resettle these evicted labourers. As a result of the introduction of the new Constitution, the responsibility for the selection of settlers in approved Settlement Schemes has been placed in the hands of the Regional Assemblies. I, therefore, suggest that the hon. Member take up this part of his question with the President of his Regional Assembly.

Mr. arap Cheptkik: Arising from the answers of the Minister, is the Minister aware that in Trans Nzoiia we do not have settlement schemes yet, but the people evicted are labourers and we would like to know what steps the Minister is taking to help the labourers to get their pay and to be settled again, instead of evicting them and refusing to give them their pay.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I am not aware of that.

Mr. Murgor: Mr. Speaker, Sir, the question was whether the Minister was aware that these people who are being evicted should be resettled, and could he tell us where these people are to be resettled now?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, this is a matter to be dealt with by regional authorities. It is their responsibility to choose the settlers and not that of my Ministry.

Mr. Murgor: Mr. Speaker, Sir, we are now finding ourselves in difficulties. The Minister is paid for settlement. Can he not agree that he is there as a fictitious Minister?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): On a point of order, Mr. Speaker, is the hon. Member entitled to refer to a Minister of the Government as a "fictitious Minister"?

The Speaker (Mr. Slade): The hon. Member was merely asking whether the Minister accepted that such was the case, I think.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I do not accept that.

Mr. arap Mui: Mr. Speaker, Sir, is the Minister aware that under the law made by this legislature, which is being carried out by the Ministry of Labour, these labourers are being evicted?

Secondly, Sir, is he aware that the Ministry of Settlement is responsible for settling those evicted labourers in transit camps?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, could the hon. gentleman tell us which law made by the Ministry of Labour?

The Speaker (Mr. Slade): I do not know if the Minister is able to answer.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, there is no such law.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): On a point of order, Mr. Speaker, would the hon. Member substantiate the fact that the Ministry of Settlement has anything to do whatever with transit or interim settlement schemes?

The Speaker (Mr. Slade): I do not know whether you can substantiate that.

Mr. arap Mui: Mr. Speaker, Sir, in substantiating that point, farms are bought by the Settlement Board and then these farms are made available by those concerned to settle those labourers
..... (inaudible).

Mr. Towett: Mr. Speaker, Sir, does the Minister agree with me that yesterday he told us that he was settling people at Muhoroni? Is he now telling us that settlement is a matter for the regions?

The Speaker (Mr. Slade): Order, order.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, Sir, the Minister said he was settling people but he might not have meant specifically on land available at Muhoroni.

The Speaker (Mr. Slade): That is not a point of order but a matter of record, and I think hon. Members will have to refer to HANSARD for that.

An Hon. Member: Mr. Speaker, Sir, I would be very interested—

Mr. Towett: I did ask a question which the Minister has not yet answered. Is he or is he not answering?

The Speaker (Mr. Slade): He should be given an opportunity of answering, I am sorry.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I have already said so.

An Hon. Member: Mr. Speaker, Sir, I would be very grateful if the Minister of Settlement will satisfy the House and me on the subject of labourers. I want him to give priority to settlement schemes in Trans Nzoiia as soon as possible in order to do away with all these illegal squatters. I want him to make us settlement schemes in that area.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, this is the responsibility of the Regional Assembly.

Mr. de Tipton: Mr. Speaker, Sir, could we be told what settlement schemes there are for African labourers who are evicted in the African land unit and are employed by their fellow Africans?

The Speaker (Mr. Slade): I do not think it is relevant to this question.

Mr. Towett: Mr. Speaker, Sir, is the Minister for Lands and Settlement prepared to tell us whether they have got any plans now for those people who are being evicted in Trans Nzoia?

The Minister for Lands and Settlement (Mr. Angaine): Yes, go to your *Majimbo* Regional Assemblies.

Mr. Towett: Arising from the reply, has the Minister got land for settling these people, Sir? Could he tell us where this land is?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I would have that in writing.

Mr. Towett: The Minister says that he is going to submit the areas in question in writing. Would he undertake to submit those answers to the whole of this House, and not to me alone?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, is not a Minister entitled to say whether he will give an answer in writing later? Does he have to be asked by an hon. Member to submit the answer in this House? It is a privilege for a Minister to answer orally or as he thinks fit.

The Speaker (Mr. Slade): That is so. As I have said before, Ministers have a discretion as to how far they answer questions. They can say that they will give the answer later in writing to the Member concerned, though that, of course, is not so satisfactory to the House.

An Hon. Member: I am seeking your ruling, Mr. Speaker, on this point. Already the Minister for Lands and Settlement has stated that the question of land settlement schemes are for the deliberation of the Regional Assemblies, and he then states again that he has some plans for land settlement. Which does he mean?

The Speaker (Mr. Slade): That question is not a point of order.

Mr. Ngugi: Will the Minister for Lands and Settlement tell us whether the evictions are as a result of the agricultural rules which were enacted in 1963 which allowed the squatters to stay on the farms, or if they are just there as the result of negligence because these farms have been bought?

The Minister for Lands and Settlement (Mr. Angaine): I do not know to which laws the hon. Member is referring to.

Mr. Ngugi: I am referring to Legal Notice 217.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, that is for the Minister of Legal Affairs to deal with.

Mr. Ngugi: Mr. Speaker, Sir, in view of the very unsatisfactory answers that this Minister has given would I be in order, Sir, to give notice of a Motion on the adjournment on this matter of settlement?

NOTICE OF MOTION ON THE ADJOURNMENT

EVICTED LABOURERS FROM TRANS NZOIA

The Speaker (Mr. Slade): I will treat that as notice of a desire to raise the matter on the adjournment. It would be satisfactory if we deal with it fairly soon and I would suggest that we have it on tomorrow's adjournment, that is the matter of labourers evicted from farms in the Trans Nzoia.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, do we understand that tomorrow's Motion on the adjournment is on the matter of labourers evicted from Trans Nzoia or is it on the matter of land settlement as such? We would like to know beforehand.

The Speaker (Mr. Slade): It clearly includes the matter of their resettlement, just as this question did.

Question No. 20

ESTABLISHMENT OF EDUCATION SOCIETIES

Mr. Gatuguta asked the Minister for Education: Is the Minister aware that legally established education societies—other than Missionary Societies—are not permitted to build and manage private schools particularly among Africans?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I beg to reply. No, Sir. The mere fact that a society is a registered society, educational or otherwise, does not give an automatic right for it to be approved as a manager of schools.

Under the Education Ordinance no person may manage schools or assist in the management of schools without my written consent. This is only given where I am satisfied that the person (or society) is well-established and not likely to dissolve in a short space of time and leave the school without a management, and that it has the necessary staff to control the school and provide a reasonable number of teachers. I have further to be satisfied that the school will maintain a reasonable standard of education and provides an educational need. If the school does not fulfil the latter qualification, it merely withdraws children from existing aided schools and increases costs of education, apart from the possible waste of the parents' money in little or no return for the expenditure.

Members of the previous Legislative Council expressed concern at the low standards of education of some of the private schools established over the past few years. These schools are being investigated now and reports to date suggest that it is still necessary to retain control over the recognition of managers to ensure that they have the means and ability to manage schools properly.

If you can give me the name of any legally established education society which has had permission refused to establish schools, then I shall certainly have the matter investigated in the light of my foregoing remarks.

Mr. Gatuguta: Mr. Speaker, Sir, is the Minister aware that the Director of Education is given too much power in deciding whether an individual or a private society like this one should have a school or not. Particularly, when you consider today that there is so much demand for schools in this country and there are so many people, so many societies, Mr. Speaker, who are prepared to organize schools and money.

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, the answer to that is "No". However, if the Africans or the managers want to start a school, provided they fulfil the conditions laid down in the Education Ordinance, we shall have no objection.

Mr. Muliro: Mr. Speaker, Sir, arising from the Minister's reply, is the Minister aware that this Ordinance was passed by a Colonial administration?

The Minister for Education (Mr. Otieno): Yes, Sir. But I can also point out that the clothes the hon. Member wears were made during a Colonial regime.

Mr. Towett: Mr. Speaker, Sir, does the Minister imply that he is going to uphold this Ordinance? If so, does he include the driving schools in the main schools?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, since it is the law now I shall do my best to maintain it. However, I am prepared to review the whole Ordinance as cases arise.

Mr. Ngugi: Mr. Speaker, Sir, arising from the original reply could the Minister give us a list of the recently established education societies, other than missionary societies, which are managing schools at the moment?

Secondly, could he give a list of the schools so managed?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I am very sure the hon. Member knows exactly what is down in the Ordinance. Not even all missionary bodies were made managers. However, I need some notice in order to be able to give the whole list of those who are supposed to run schools. But I can perhaps help the hon. Member by saying that recently an application came from a very famous missionary body to have a school and the application was refused.

Mr. Ngugi: Mr. Speaker, Sir, did the Minister understand my question? I said, other than missionary societies. The Minister did not answer my question.

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, as I said, I need notice of that.

Mr. Towett: Mr. Speaker, Sir, I asked the Minister earlier on whether a driving school was considered in the Ordinance to be a school?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, since this Ordinance was made a number of peculiar schools have risen up. Driving schools among them. But there are other schools. There are numerous commercial schools growing up in the country and that is why I said the Ordinance should be reviewed.

Mr. Ngugi: Mr. Speaker, Sir, could the Minister give the sort of directive or requirements wanted before one can be allowed to manage a driving school?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I am sure that depends on what he suggests. A driving school is a driving school and there does not seem to be any education involved.

Mr. Towett: Mr. Speaker, Sir, is the Minister serious when he says that when you teach a person to drive he is not getting any educational benefit at all?

The Speaker (Mr. Slade): Order, order. Mr. Towett is most ingeniously taking us away further and further from the real question.

Mr. Ngala: Mr. Speaker, Sir, the Minister seems to avoid my questions. I have asked for the actual list of requirements that his Department for Education has, or offers, to those who wish to manage schools. The answer, he says, is anybody's guess. Has he given a guess now of the requirements of this department?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I shall point out that the hon. Member has forgotten to read his Education Ordinance. It says clearly there what are the bodies that can manage schools. I do not think that driving schools come under this question at all.

Mr. Gatiguta: Mr. Speaker, may I seek an assurance from the Minister that he is going to take steps to make the requirements of building private schools much easier so that these societies control private schools since there is a need for these kind of schools.

The second thing, is there any good reason—

The Speaker (Mr. Slade): One question at a time Mr. Gatiguta.

The Minister for Education (Mr. Otiende): I cannot promise that, Sir, and the reason, Mr. Speaker, I cannot promise, is that I intend to make the conditions harder. The reason is that we need to improve our educational system and I am not going to dilute the system of education.

Mr. Gatiguta: Mr. Speaker, Sir, in view of the fact that private schools are very few in this country and that the majority of the schools are well able—either Government or missionary—the Minister say whether there is any good reason why private societies like this one do not qualify for these conditions?

The Minister for Education (Mr. Otiende): On that one, Mr. Speaker, Sir, I can assure the hon. Member that I shall look into it. Private societies will be considered on the same terms as those societies mentioned in the Ordinance.

Mr. Murgor: Mr. Speaker, Sir, could the Minister assure this House that those schools which formerly were called "Kikuyu Independent Schools" will be opened now?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, there were over 250 Kikuyu Independent Schools. Does the hon. Member want me to open all of them?

Mr. Towett: Mr. Speaker, Sir, the Minister has said in one of his replies that he does not want to dilute the educational system and the standard of this country. Is he also taking steps to see that there is no dilution of the standards of his colleagues on the opposite side?

An Hon. Member: This is not a school.

The Speaker (Mr. Slade): Order, order. Mr. Otiende, we do not expect you to answer that question.

Mr. Wamathinya: Mr. Speaker, Sir, would the Minister assure us whether he knows that no school can be built in the country unless it is sponsored by a missionary society? Is the Minister aware of this?

The Minister for Education (Mr. Otiende): On this question of sponsoring, Mr. Speaker, Sir, I agree that in many cases, missionary schools have been considered favourably but that was only for a certain period in the history of Kenya. I can assure the hon. Member now that we are going in for *Uhuru* we shall be very fair to everybody.

Mr. Shikuku: Arising from the reply, would the Minister tell us this. Is the Minister aware that the running of the schools right from sub-standard I to the secondary stage will be run by the regions, and, if so, is he correct in what he is telling the House when he says that he is going to run the schools on the methods approved by schools in the Central Government and his Ministry?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I do not think the hon. Member has read the new Constitution very well. I think that until 31st December of this year I am virtually in charge of all schools and even when *Majimbo* does take over schools, they will not have all the power. I will still have the residuary powers to deal with them.

Mr. Shikuku: Arising out of the reply, Mr. Speaker, Sir, the Minister says that the schools are still under his care, and will be until 31st December, 1963, if he is going to control the building of the schools until that time, what is to happen after that?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, he began by asking me about standards but now he is asking me about the building of schools. To make things clear, Mr. Speaker, I must say that I am not, although a new Minister, so unco-operative as to allow schools to close, I am going to look after them until 31st December, and to see that they run smoothly until they have enough money in the regions to run schools next year.

RULING

QUESTION WITHDRAWN

The Speaker (Mr. Slade): Point of order, Mr. Ngala!

Mr. Ngala: Mr. Speaker, Sir, I would like to seek your guidance on the question withdrawn by the Minister of Works this afternoon. This question was on the Order Paper, Sir, and I would like to know whether it is in order for the Minister and the questioner to agree outside this House to withdraw a question without giving any notice to the House after the question is on the Order Paper.

The Speaker (Mr. Slade): I have not met this point before, but it does seem to me that once a question is on the Order Paper it cannot actually be withdrawn. Nevertheless, as I have explained on other occasions, no Minister is ever bound to answer any question; and if he is told by the questioner that an answer is no longer required, he has reasons for not giving it. It is, however, an invitation to the House, and I would suggest that when it is agreed between and hon. Minister and the questioner that the question is withdrawn, it should be withdrawn before it appears on the Order Paper.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. To put the record straight; the Minister did not withdraw the question. The questioner asked to withdraw the question and was directed to put it in anyway and the Minister merely said that he would not answer it because the questioner did not require an answer.

The Speaker (Mr. Slade): That is so.

BILLS

Second Readings

THE FINANCE BILL

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to

move that the Finance Bill be now read a Second Time.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

The Minister for Finance and Economic Planning (Mr. Gichuru): The hon. Members will notice the division of the Bill into four parts. Firstly, the Station; secondly, Customs Duty; thirdly, Income Tax; and, lastly, abolition of Government contributions to the Hospital Treatment Relief Fund. The effect of the first three sections is fully described in the Financial Statement so I do not propose to cover the ground here again. The list of medicines exempt from tax has also been published in the *Official Gazette*, No. 47, dated 14th June, 1963.

The fourth section—the abolition of the Government contribution to the Hospital Treatment Relief Fund—deals with the contribution made to the Fund. Last year the Government grants were reduced from one-quarter to one-fifth of the contributions made by the public, thus reducing our expenditure from the figure of £121,134 in respect of 1961/62 Estimates to an estimated £53,750 in 1962/63. This Vote has now been abolished in accordance with the recommendations made by the Economy Commission; paragraph 171, for the sake of those who might wish to refer to this report.

The Government has accepted these recommendations and has no reason to doubt the ability of the two Funds to keep going.

Mr. Speaker, Sir, I beg to move.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

Mr. Pandya: Mr. Speaker, Sir, during the Budget Debate I did give my support to the protective tariffs that were imposed by the Minister, but I have one query to make in respect of the suspended duty on pneumatic tyres, and to seek information from the Minister, on the question of principle, as to whether it is a good thing to impose these suspended duties before the industry has been established in this country. I can think of many people who would want to invest in this country, who wish to start industries, but if the Government introduces this principle it will be difficult to arrive at an amount of suspended duty, before you consider the details.

[Mr. Pandya]

Has the Minister definite proposals for the establishment of the industry in this country; has he looked into the economics of this industry and does he feel that this amount of cents—41 per pound—is a reasonable amount under the present circumstances?

My second observation relates to Part Four on the Minister's observation of the abolition of Government contributions to the Hospital Treatment Relief Fund. He said that last year the 25 per cent contribution was reduced to 12½ per cent, and I am sorry, although he has followed the recommendations of the Economy Commission, to see that this contribution has been completely abolished. I feel, Sir, that this contribution was really helping the people who have themselves, been contributing to the Fund. This is a service which the Government ought to provide; indeed it ought to provide for all the people. I feel that this complete withdrawal of the Government contribution will fall heavily on this Fund, and although the Minister has said that this Fund can run on its own, it can only do so for a very short time and then the contributions that ought to be paid out to the contributors will not be adequate to meet the needs of the people who will support this Fund.

These are the only two observations I wish to make at this stage, Mr. Speaker.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I would like to assure my hon. friend opposite that the question of the suspended duty on tyres was considered very seriously and all the economic consequences were taken into account. The Government is satisfied that this is correct and there is a definite undertaking by a firm that they are going to have these tyres and that is why we have done this. We would not have suspended the duty merely for the sake of doing it. The whole questions has been gone into and the Government is satisfied that this procedure is correct.

As for the contribution to the Hospital Treatment Relief Fund, the Coalition Government did accept these recommendations and, of course, I had no alternative but to follow my instructions. I think the feeling was that they were racial for all the people of Kenya. The Economic Commission felt that it should be withdrawn. I have no reason to believe that these two Funds will not keep going.

(Question put and carried)

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

THE BETTING TAX BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Betting Tax Bill be now read a Second Time.

Mr. Speaker, Sir, this is a simple tax on betting which is estimated to produce about £50,000 for the Revenue. The tax is a logical outcome of the tax on football pools which was introduced in 1961. This tax is also producing £18,000 a year in revenue. The tax will be collected by the Jockey Club and it will be paid a percentage of the sum collected. The initial percentage will be 10 per cent, but it is noted that by clause 4, section 2, the Minister may reduce or increase the sum as he thinks fit. This legislation will be followed by major legislation to control gambling of all forms, including lotteries.

Mr. Speaker, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

(Question put and carried)

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

THE ESTATE DUTY BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Estate Duty Bill be now read a Second Time.

This Bill has been discussed fully in the House, Mr. Speaker, Sir, and the hon. Members are quite aware of the things that have been said about it. If I remember correctly, the Leader of the Opposition talked about this Bill being an insult to the dead, but it is the Government's opinion that it is right and proper that a part of the property left by the dead should be distributed to society rather than disposed among the relatives or favourite charities of the deceased.

This Estate Duty will be payable on estates valued at £5,000 and over. The rate of duty will range from 2 per cent on a net value of £5,000 estates to 40 per cent on the net value of £2 million estates.

Mr. Speaker, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

(Question put and carried)

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

THE KENYA CULTURAL CENTRE (AMENDMENT) BILL

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to move that the Kenya Cultural Centre (Amendment) Bill be now read a Second Time.

Mr. Speaker, Sir, the Bill is formal in that previously the Kenya Cultural Centre was run by a Board of Managers. It has been proved from experience that this Board has been unable to cope with the work of this centre. It has, therefore, been proposed that the centre be run by a series of committees and therefore amendments have been made to the principal Ordinance.

Sections 8 and 14 of the Ordinance have been abolished and it is now possible under clause 5 to replace the existing provision as to how the accounts should be kept. Under clause 6 it is shown how attendance should be and how people should vote, and what a quorum should be at the General Meetings. Main amendments are made under clause 2 in order to abolish the Board of Managers. Certain sections have been abolished altogether, so that as it is now, the Kenya Cultural Centre (Amendment) Bill requires that certain committees be appointed to run the various interests at that centre—whether art or drama—and that they report to the main committee. These amendments will entail no extra expense and therefore the amendments are merely formal.

Mr. Speaker, Sir, I beg to move.

The Minister for Natural Resources (Mr. Sugini) seconded.

(Question proposed)

(Question put and carried)

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

THE ISAAC OKWIRRY PENSION BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Isaac Okwirry Pension Bill be now read a Second Time.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, the object of the Bill is to grant a pension to Mr. Isaac Okwirry in respect of his military service, from the date of his enlistment in 1931, until the end of the recent war. Mr. Speaker, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I would like the Minister to explain, further, why it has been necessary to bring this matter forward to the House, because I understand that people serving in the Army have their terms of service or agreements which entitle them automatically to some form of pension or gratuity, whatever it is that they are entitled to, and I would like to know why this matter has been brought to the House, also I would like to know why there was such a delay. The Parliamentary Secretary has just said that it is from 1931 to the end of the Second World War, there is a delay of over 15 or 20 years. We would like to know why there has been all this delay; if this person had nothing to spend probably he would have died of starvation. We want to know what has been done for him during all this time when he did not get his pension.

Secondly, I think the Parliamentary Secretary should move this in more detail, and tell the House what is actually involved in expenditure and rates as far as the pension rate is concerned. On these three points, Sir, I would like a little clarification from the Parliamentary Secretary.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, with regard to the sympathy for Mr. Okwirry, coming from the Leader of the Opposition, that, Sir, is not quite necessary, because Mr. Okwirry is already enjoying a pension of £379/1/50.

This Bill is to make it possible to make an additional pension to Mr. Okwirry, because there was some mistake made in the previous calculations. Mr. Okwirry started work for the military in 1931, then he was released by the Army and joined the Government after the war. The period that he worked for the Army would have been considered under regulation 19 of the Pensions Regulations, which enables persons, who, prior to the outbreak of the 1939/45 war, served on a permanent basis with the Government, and who served with the armed forces during the war, to count their war service as pensionable service. Mr. Okwirry's period of work for the Army was not considered pensionable service, because he was enlisted for general service and this did not, technically, serve as a civilian. Consequently, that service could not earn a pension under the Pensions Law. Later, however, the question came up and Government considered there was merit in the case presented by Mr. Okwirry. In view of this, it was thought proper for the Government to grant Mr. Okwirry an extra pension, involving

[The Parliamentary Secretary for Finance and Economic Planning] the sum of £213/0/42. This would be in consideration of the time that he enlisted to the end of the recent war.

Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

(The Bill was read a Second Time and committed to a committee of the whole House tomorrow)

THE PENSIONS (AMENDMENT) BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Pensions (Amendment) Bill be now read a Second Time.

This Bill is designed to produce amendments to the Pensions Ordinance, Cap. 189, so as to provide (1) that the services of the Interim Commissioner for the West Indies shall be public service for the purposes of the Ordinance; (2) that the service with the East African Land Forces Organization shall be deemed to be a service under the Government, in the case of a former civilian officer of the Organization who, without a break in service, secured an appointment with any of the East African Governments or Administrations; (3) that any benefits granted under the Ordinance shall be computed in accordance with the provisions of the Ordinance in force at the date of the officer's retirement, or his death in the public service, as the case may be; (4) that in the case of officers whose office is abolished, the effective date from which his office should cease to be a pensionable one, should be the date on which his terminal leave ends, and not the date on which the office is abolished.

Mr. Speaker, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

(The question was put and carried)

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

THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Customs Tariff (Amendment) (No. 2) Bill be now read a Second Time.

The amendments to the customs tariff contained in this Bill are two-fold; namely, an amendment to the tariff items 39 and 40, which raises the duty of piece-goods and fabrics from 33½ per cent to 36½ per cent with a comparable adjustment to the specific rates. This should raise revenue by about £35,000. The second amendment is to tariff items 48, 61 and 63, raising the rate of duty on heavy load carrying vehicles and buses by 5 per cent, the duty on smaller passenger cars by 10 per cent, and on cars of over 2,000 c.c. by 15 per cent.

The Government is convinced that none of these amendments causes any economic harm to the public and even the fabric section does not increase the cost of living at all. The Government also wishes to point out that the increase on cars was to bring them to the same level as those of some of the East African territories, since the percentage which was previously charged was too low and this was also recommended by the International Bank.

Mr. Speaker, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

(The question was put and carried)

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

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Deputy Chairman (Mr. Slade) took the Chair]

THE SECOND-HAND MOTOR VEHICLES PURCHASE TAX BILL

(Clauses 2, 3, 4, 5, 6, 7 and 8 agreed to)

(Schedule agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move that the Committee doth report to the House its consideration of this Bill and its approval of the same without amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT AND THIRD READING

THE SECOND-HAND MOTOR VEHICLES PURCHASE TAX BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of the whole House to report that it has considered the Second-hand Motor Vehicles Purchase Tax Bill and has approved the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the Second-hand Motor Vehicles Purchase Tax Bill be now read a Third Time.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

RULING

LIMITATION OF DEBATE: PRIVATE MEMBERS' MOTIONS

The Speaker (Mr. Slade): Before calling on Mr. Oyoo, I will remind hon. Members of the Resolution in this House concerning time limits. This, as I understand it, is what we have called a "Free lance" Motion, although the Government has given Government time for it, and so it is limited to a duration of one and a half hours maximum, with no more than twenty minutes for the Mover, twenty minutes for the Government official responder and ten minutes for each other Member speaking, and ten minutes before the time expiry the Mover to be called upon to reply.

MOTION

LAKE VICTORIA FLOODS: SETTLEMENT OF HOMELESS

Mr. Oyoo: Mr. Speaker, Sir, I beg to move—

"That this House having learned with great dismay of the damage caused by the floods due to the water level rising along Lake Victoria shores, especially in Kano, urges the Government to give priority to the settlement of the people there who have been made homeless.

Mr. Speaker, Sir, this is an act of God and I think the whole House is going to give it serious consideration because already in the country there are people who are homeless, who have no shambas and who have no schools for their children because of this tragedy.

Mr. Speaker, Sir, the trouble began in December, 1961, when there was heavy rainfall in the country. This went on and the Lake Victoria shores were flooded, and as a result many people became homeless. The situation became very tense and the Government had to lend a hand to the people and had to give them food because all the shambas had been covered by water and there was no other means by which these unfortunate people could live.

It went on until the situation became a little bit better. But unfortunately again in July, 1962, the lake water level began to rise. This became more serious along the shores of Lake Victoria. As has been mentioned previously, I think the fault of this lies with the Controller of Nile Water at Owen Falls Dam, Jinja. The water has always been controlled; it has been controlled in such a way that even when there is no rain for the country the flow will continue at the same rate.

I think when the electricity construction began some experts foresaw this and mentioned that after some years the lake water level would rise to a certain level. Now, this seems to be taking place along the Lake shores and has cost much to the people many of whom are starving. Since this is a situation where you find a strip of land along the lake shore about four miles wide you find all that land is covered with water; it is almost completely flooded and completely useless, and Government should intervene.

Even certain schools have been affected. About six schools in the area have been completely flooded and this means that the people there have no schools. These schools, Mr. Speaker, were primary schools—Odienyu Primary School, Nduru Primary School, Stany Kadinde Primary School, Nyamasaria Primary School, Dunga Primary School and Ombaka Intermediate School—and

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the other six schools were in West Kano whereas the intermediate school is in East Kano. Mr. Speaker, Sir, this involves the two locations in a lot of difficulties in order to house the children from these schools which have been flooded. In spite of this, there are certain schools which have been completely isolated and to reach them means that children have to use boats. This is very serious, Mr. Speaker, for the lives of our children in those areas and we urge the Government that something should now be done because in the same area it has been noticed that even the three markets which we have are completely covered by water. The traders in the area have lost much. The three markets which have been covered by water are Ogenya, Nduru and Dunga and the unfortunate shopkeepers had to lose all their shops and here also this is a case where the Government could go into it and find means and ways by which some compensation could be given to these unfortunate traders so that they could start new businesses in other new places in order to help themselves.

I remember, sometime during the last Coalition Government, the Minister for Commerce and Industry—then the hon. Mr. Muliro—visited the area and this question was raised and he did say that the Government was going to look into this matter and for ways and means by which the Government would pay certain compensation to people who had their shops flooded. Ever since, Mr. Speaker, Sir, nothing has been done and the situation has really become serious.

Mr. Speaker, Sir, it is well known that the areas which have been flooded have been real rice-growing areas and we used to get about a quarter million bags of paddy rice. But since this tragedy the quantity of rice grown in the area has fallen. This results in unemployment in the country.

While it is the intention of our Government here to do away with this unemployment, I think there is something that could be done quickly to get rid of this situation. Mr. Speaker, Sir, if the Government would care to find some experts on drainage and carry out that work in these areas so as to make the land which has been badly flooded drained, I think we could once again make use of this land to a certain extent.

Of course, this does not mean that our people would settle there. It is impossible because, as the situation stands, it appears that it will take quite a long time to get back all this land which is now lying under water.

Here is another point. I am calling upon the Kenya Government to negotiate with the Owen

Falls Dam authorities to make some compensation to these unfortunate people because it appears that for a long time they will not be able to make use of their land. The people have already suffered a great deal in this case.

I feel that if this water flow control could be lifted—I mean at Owen Falls, Jinja—I think we may probably get some relief. The situation at the moment is tense and the Government should be urged to take action.

Mr. Speaker, Sir, ever since this tragedy began along the lake shores, the Government has spent a lot of money to have these people fed. I do not know whether we can continue using a lot of money to feed the people who could definitely be made to look after themselves, and I think this is a question the Government should take up. If these people had been settled by now it would mean that all the big sums of money which are being used to feed these people could have been saved.

If you will allow me, Mr. Speaker, Sir, I will put to you certain figures in relation to what the Government has used to have these people fed. The Government has used nearly 10,460 bags of yellow posho to feed these people as well as some other things. Since flooding began about 2,300 huts have been completely destroyed by water and these people are now homeless. Furthermore, Mr. Speaker, Sir, these have been burnt destroyed. When you compare this with the number of people who have been made homeless you will find that in East Kano about 800 people have been made homeless, whereas in West Kano you will find about 1,500 people who have been made homeless. Altogether, this comes to about 2,300 people. This is a very big population for the Government to allow to live idle without knowing how and where they sleep, or how they pay their taxes or how they educate their children. I therefore think it is the responsibility of this Government to do something to relieve them. I would ask the Government to do something to get the people out of this area. This situation, Mr. Speaker, affects 58,440 acres or 91.2 square miles. This area lies under water and it is quite productive so I think the Government must be urged about all this.

Mr. Speaker, Sir, you were at one time the Chairman of the National Famines Relief Fund and you and the Minister for Home Affairs visited the area some time back and saw how far the water had advanced. To make it worse, the place where the hon. Members landed—only after six months—cannot be used any more for landing because the lake has covered it. It was only about a mile from the lake, but now the

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level of the water has risen about another two miles and almost everybody in my location is worried as to what might happen. Mr. Speaker, Sir, I think this House will give this matter serious consideration so that the Government is urged to open negotiations with the Ugandan and Egyptian Governments. The Egyptian Government, I am told, is the main controller of the Nile waters. It is a big concern for this country because, if our Government is not careful then the two locations I have quoted—which are inhabited by about 100,000 people—will probably be covered with water and these people will become homeless. This will be a very big tragedy for this Government. At this juncture, I think the Government should now enter into negotiations with these two governments which I understand, are concerned with all this.

I go further, Mr. Speaker, Sir, there is the tragedy of Kisumu township. We actually hoped Kisumu would one day be the headquarters of the Federation of East Africa. Kisumu is, however, being threatened by these floods; in Kisumu—as in all over East Africa—we want investments, especially industrial ones. We find that in Kisumu a number of industries are now really under water. Already all the oil depots, like those belonging to, Caltex, Esso and Shell, are completely covered by this water along the shores of Lake Victoria. It appears that our industries are also going to be heavily affected and here also the Government must assist us in all ways possible so that these things do not happen.

Mr. Speaker, Sir, it has been mentioned that we are going to have a settlement scheme in two areas. One is in Kibigori and one in Muhoroni. I understand that the Kibigori area has been left in the hands of the administration, they have to carry out work so that it becomes available for settlement. The Ministry of Settlement, which has kindly offered this to the Administration, failed to do one thing; they did not provide technical people to do the job and therefore there is no proper administration. The officials told me they did not have the technical staff to carry out the work required in areas like this. The Kibigori area requires technical aid because it is on the slope of the mountain and the fear exists that if they carry out such settlement, when it rains the place might again become flooded and therefore spoil the scheme. I think it would have been better if the Minister for Lands and Settlement provided technical staff on secondment to this Settlement Scheme at Kibigori.

Mr. Speaker, Sir, we have already a number of people who have been moved by the Administra-

tion from the flooded areas and put in transit camps at Kibigori. These people should not be allowed to stay long in the transit camps because, as I have already said, they have been moved from areas where they do not have homes to stay in and they do not have any food and as the Government brings them to the transit camps the Government has to feed them. If they stay in these camps for a long time, they are going to cost the Government further sums of money. The Government could avoid this by making arrangements for their settlement immediately.

I see that it is time, Mr. Speaker, and so with these few points I beg to move.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osofo): I beg to second, Mr. Speaker, Sir, the Motion moved by the hon. Member who has just sat down.

Mr. Speaker, Sir, he has not put it as seriously as it actually appears to the residents of the area he is speaking about. I know if the hon. Members of this House had visited the area he is speaking about—besides if the Kano area—they would have been moved with pity in viewing the position in which these people are. I am also going to mention another place which has been affected by the floods and the recent level of water in Lake Victoria; and that is part of the Bunyala and Samia locations. These places, Mr. Speaker, —I will add to what the hon. Member has just said—have also been greatly affected. There is one point which I think I must make very clear here and that is the negotiations with the Jinja Dam authorities. I think this is serious. I remember when the Jinja Dam authorities were going to construct the surveyors kept coming round the lake shores trying to find out if the people living around the lake would be involved in troubles after the Jinja Dam had been completed. We received an assurance from the administrators then that there would be no troubles for the residents around the lake. Then, after only three years most of the lake—I think it is about three miles in width in the area I have referred to—ries and all the people have to vacate their homes and they are left landless.

In Bunyala it is a different thing, Mr. Speaker, they do not have these transit camps. These people are left to look for homes by themselves. Personally, I have accommodated very many of these people in my garden, very many of these people are landless and they have moved from the flooded areas. These people stay in my garden and not only mine, there are several people in my location who are accommodating these people for the sake of sympathy. The owners of these gardens cannot use them because these people are

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slaying on them and we hope the Government will try to do something to settle these people who have stopped us from digging our gardens.

I remember, Mr. Speaker, that when the Famine Relief was in operation—I understand it has now been disbanded—the Chairman of this Fund, who happened to be you, Mr. Speaker, Sir, visited this area. The situation you saw there has grown worse with the recent rain and the increasing water level. If the Government cared at all to send at least a body to confirm—and I think the Parliamentary Secretary for Settlement should take particular note of this—and see how these people can be resettled, it would greatly help their suffering. As my hon. friend has just stated, the people in Kano have been given relief food to these people. It is unfortunate, Mr. Speaker, Sir, that the people in Bunyala and Samia locations have not been given anything, and I do not think it was due to a mistake by the Government, it was due to a mistake by the local administrator who recommended that these people had not been hard-hit. I remember when the Chairman of the Relief Fund came this point was refuted by the local people who shouted the Administrators down. They said that they had actually been hit and they were suffering and they were going without food.

Let us imagine, Mr. Speaker, Sir, that since 1961 these people have not been able to produce any food on their farms and it is said that they have been living on bought food all the time, and they have not been able to do their fishing. They have been fishermen who have been living round the lake but they cannot do their fishing because they have been moved to the hills. I live in the hills and that is why I accommodated them. They have been moved to the hills and therefore they cannot go to the lake to fish. As my hon. friend said, Mr. Speaker, they are expected to pay taxes and they are expected to pay their school fees. This Schedule, therefore, should be looked into. There is a vote in the 1963/64 Estimates that gives money for some irrigation in this area. It is going to be financed with about £25,000. I do not see how a flooded place can be irrigated. I think, Mr. Speaker, that this money should go to the Ministry of Land Settlement to help drain the swamp after, of course, the Government has made an arrangement with the Injira Dam authorities to do something about lowering the level of the water in the lake. These people could then be resettled instead of the land being irrigated.

I do not see where the mathematics came from that moved that this land be irrigated—I do not

think irrigation is the right word—it is drainage that is the right word in this area.

Coming to another point, Mr. Speaker, I would refer to the damage that this water has done to many houses along the Lake shore. The people here had built many good houses—I will not call them huts—some of them are of the semi-permanent type. These houses are, there with the poles standing in water; no walls, and with only the roofs still on. These used to be houses inhabited by people, they cost those people a lot of money to build, and now the inhabitants have had to flee these houses to find safety elsewhere. Nothing has been done to settle these people in new homes or to compensate them for the losses which they have incurred. Traders in the markets, as my hon. friend said, have been hard hit and the Government has not, so far, done anything to see if they could alleviate this hardship.

I would repeat, Mr. Speaker, that we were assured when the Dam was being built, that it would not cause any inconvenience to the residents of the Lake shore. Now that inconveniences have come, I want the Government to assure us here, and therefore the people who reside along the Lake shore, that something is going to be done, not only done but done in the near future.

It would be sad, Mr. Speaker, if 1964 were to start without these people having anywhere to live. I still wonder where these people are going to get their food—for three years they have been unable to harvest anything. Mr. Speaker, and have been relying on people living in Samia and Ugenya to sell them food. I do not think that they are going to have the money to be able to continue buying their food in that way. The money they get from whatever fish they are able to catch goes to buy food which they have been unable to grow and harvest; to pay their taxes and also their school fees. I think that the Government should look into this and try to resettle these people.

In saying this, Mr. Speaker, I have not forgotten the grievances that have been put forward by the hon. Member of this Motion. I am sure that I said at the beginning that they are very serious and I do not think that the Mover showed them to be as serious as they are. The trouble which we have here is that the Government relies on the Local Administrators. These people try to seek—I do not know what word to call it, fans maybe—and then they are awarded medals for having saved people from hunger. Just because they went and presented their own case to the Government they are awarded medals. This is not what should happen. I think the present Gov-

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ernment—and I am pleased it is an elected Government this time—will take time to go into the details of this situation, will go and see the local people and not rely on chiefs and sub-chiefs who are going in for medals, probably this time from the Prime Minister and not the Queen. I hope the Minister concerned and my friends who are here and can hear what I am saying will go into the details of this area and find out the situation for themselves, and then come and decide how exactly they can help these people. I know we are going to be told—

Mr. Speaker, Sir, my time has come to an end, but I had a lot to say because this is very serious. I beg to support, Sir.

(Question proposed)

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, Sir, I agree with the Mover of the Motion, but I think that the Motion is a little bit restrictive. There are many areas along the basin of Lake Victoria which have been affected by flooding and because we are not here to take half measures, we are here to take the fullest measures possible, in the name of our people. I would like to amend the Motion to include the following areas: West Konyago, Karachuonyo, Nyakachi, Kochia, Bunyala, Samia and Imbo.

I therefore move that the Motion be amended—by inserting immediately after the word “Kano,” the words “West Konyago, Karachuonyo, Nyakachi, Kochia, Bunyala, Samia and Imbo”.

Mr. Speaker, Sir, I think the two previous speakers have outlined the immense damage in great detail and I have actually very little to add. The level of the Lake has been rising since 1959 when the Owen Dam was closed. We know that the Kenya Government is one of the signatories to the Owen Dam Charter and that in the matter of controlling the water of Lake Victoria and the flow of the river Nile, our Government is represented. I do not understand, Mr. Speaker, why the Government has ignored these areas which have been suffering from flooding for so many years. I take it that now we have an Elected Government, a proper survey will be carried out to determine, first, how much damage the flooding has done, and, secondly, how much cultivatable land our people living along the basin of Lake Victoria have lost as a result of flooding.

Mr. Speaker, Sir, these same areas do suffer from flooding due to swollen rivers, especially

during the rainy seasons. During the rainy seasons these areas lose a lot of top, fertile soil, the flooding kills our livestock, the flooding destroys crops, and every year we find that these people have to move away from their homes because of flooding. Here we have an example of the natural consequences of our climate making our people poor every year. As far as I can remember, Mr. Speaker, especially in West Konyago area, there has never been any attempt to resettle these people, to help them out during the bad days.

Mr. Speaker, Sir, I would like to remind this Government that we are here to guard the interests of the people who elected us and I would like them to take it seriously that from now we are not going to sit back and see our people being ignored the way they have been ignored. Mr. Speaker, Sir, flooding can be controlled by proper measures and I would like to see this Government initiate plans to control flooding on the rivers Yala, Nyando, Kuja and Nzola. These are the rivers which do immense damage to our people in Nyanza every year, rendering them poor, robbing them of their property. I do not think it is very easy to control the flooding from the Lake, it would need the building of very expensive embankments, but I think some surveys could be carried out so that we would know well in advance the areas which are likely to be flooded from the Lake. I think our Government is equipped with the technicians and the manpower for this kind of task.

Thank you, Mr. Speaker, I would like to move the amendment.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Koche): Mr. Speaker, I would like to second the amendment. In doing so, I must congratulate not only the Mover of this Motion, but the Mover of the amending motion that he has made very necessary additions. It appears that the Mover of the original Motion was being very parochial in his outlook. I think because he comes from Kano, Kano is an obvious place, as you yourself will know, Mr. Speaker, as you must have visited it. I have been the Member, with my colleague, Mr. Oginga Odinga, for the area, and Kano is in the open plain and is easily flooded. I know the real hardships which the Kano people have been suffering. Some of us have flown over it a few times to have a look and it is distressing indeed. The addition of places and it is distressing indeed. The addition of places and I do like Nyakachi, Samia and Konyago—and I do not know why they left out one particular sub-location, Osonga, also just on the Lake; it is part of Alego now, but Osonga is also gravely affected. There are certain parts of South Nyanza which the last speaker mentioned. These areas

[The Parliamentary Secretary for Natural Resources] have suffered and are still suffering, and I do hope that the Government, when it does reply to this debate, or whatever amendment the Government makes, will make an amendment which will be sympathetic to all the people who have suffered along the Lake shores around Victoria.

I have heard the last speaker say that it may be that it is the Kenya Government which has got something to do with the Owen Falls Dam. Last year, Mr. Speaker, I was in a committee somewhere and what I discovered is that the Kenya Government has very little to do with it, having been a Colonial Government, and it has got to do with international agreements which we can only unravel when the time comes. We know now that that time is not far ahead. It has got to do with people in the Sudan and Egypt, and so we cannot really blame the Government of Kenya for anything which affects the floods on Lake Victoria.

I must say also this, Mr. Speaker, Sir, apart from the addition of the other places in South Nyanza, West Nyanza and other places, there is still a little bit of a restriction about the Motion itself, because the people of Kano, I know, are very close to the areas around Muhoroni and Fort Ternan and Songhor, which some people usually refer to as the settlement areas for the Luo people. We heard, of course, yesterday that this is a settlement area for all the other people. I must say it is a pity that the settlement area for the people of Nyanza is very small; it is not sufficient. There is also another area, Mr. Speaker. I would like the Mover of the original Motion and also the Mover of the present amendment to tell the people not to be too inordinately interested in fishing alone; they must be interested in going out from the Lake shores to the hills and cultivating new *shambar*, because they must be convinced that there is no future just staying around the Lake. I went to one village and an old man told me that his people did not want to go; they say they can take fish from outside their door. I hope that my friends can convince the people to be willing to move away from these areas.

I must also say this. When speaking to one of the chiefs in these areas, particularly in the Kano Plain, the chief told me that he had sent some of these people, mentioned by the Member for Winam, to one of the transit camps. The transit camp is in an area where stock thefts normally take place, and the borders on some of the Kalenjin groups, and the Nandi were not amused when they saw a number of families from Kano being settled in that area. I would urge that the Govern-

ment should also consider the question of securing for the people from Nyakach, Kano, and elsewhere, who are taken to the Kibigori transit camp or to any other place (inaudible).

Unless these people are protected they will be afraid of leaving their areas on the Lake shores where they do fish, to go up the hills to open up new cultivation.

There is also one other point which has irritated a number of people in Nyanza. I found this at Kisumu sometime last year when we had a meeting—with the then Minister for Lands and Settlement—with the Kano people and others and there was a point raised as to who will get priority: because this priority will begin a ability and of course will mean (inaudible).

But some people at this particular meeting made certain points which appeared to me to have gone to the heads of the Administrative and Ministerial offices. They thought that the new areas which are now earmarked for settlement in Nyanza should be given to the people of Kano and to the people of Kano alone. They made a big mistake. This is a settlement area for the Luo people wherever they may come from, and the Luo people, and I sincerely hope that the people living on the lake shores will urge and impress upon their people not to be afraid of the Nyanza people who come from other areas to settle in these particular settlement areas which have now been opened up in the Muhoroni and Koru areas.

I must also say this. It is a point which arose when the Member for Ruwamba, I think, spoke of a certain scheme about the Yala Irrigation Scheme. The question of the Yala Scheme I think was put up long ago here and it is a scheme to assist in the function of settlement areas in Nyanza. If the Yala is drained, it will give sufficient scope and sufficient room for many people to be settled. But, it is a pity that the people from Ruwamba were interested in having an extra district of their own so that they could be separate. Fortunately, we have a new Member now and I think they will think again and this thinking again will secure a legacy for Okondo so that the people of Kano will not persist in demanding a separate district of their own. I hope that the Government will not only urge upon the security of the people who have settled in the new areas because I hear that the Kalenjin are not interested in having the Jaluos in the narrow margin of settlement which is now in the Koru/Muhoroni areas. I also hope that the Government will assist in the opening up of the many places in Nyanza, not only in the

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Yala swamp; but there are a number of places in South Nyanza which are still vacant. They are vacant because you cannot put cattle there because of certain animal diseases. People will not live in those areas because they are afraid of those terrible flies—I think they call it the tsetse fly—which are found there. If the Government can clear the Yala swamp, clear the forests, bring a lot of experts to kill pests and flies, I am quite sure there will be sufficient space for resettlement in the Nyanza areas.

With these words I wish to support.

(Question of the Amendment that the words proposed to be inserted, be inserted, proposed)

The Speaker (Mr. Slade): I do not think that discussion of this amendment can very well be separated from the main question itself. I will allow discussion on both, but hon. Members speaking one must not expect an opportunity to speak again.

Mr. Okwanyo: Mr. Speaker, Sir, I beg to move that two other names which are not included in the list of names, be inserted.

The Speaker (Mr. Slade): Mr. Okwanyo, you can move a further amendment when we have disposed of this one or you can move an amendment to this amendment; but you will have to wait until I call you.

Mr. Anyient: Mr. Speaker, Sir, I wish to support the amendment. We understand that these areas flood for two reasons: one reason we understand is because of the Jinja dam and the other reason is because of rain.

Now, the first question we should have liked to ask the Kenya Government, and I think they can get the answer from the former Colonial Government—is this: was the Kenya Government consulted before the dam was constructed? Because, if we are going to have electricity from Uganda, then I think this private enterprise or this money-making body called the Uganda Electricity Board, should pay towards the expenses of moving or resettling these people in the Kano area. Mr. Speaker, if the Board cannot do anything to pay these people surely the Kenya Government should be able to consult them and see what could be done.

I disagree completely with the way in which the Mover of the Motion put it forward. This is not a Kano affair. This is a national affair because he has told us there are two locations and I presume that is the whole of his constituency—if you get them under a situation whereby at one

time or another they may be submerged under water then it means that our hon. friend may not have a constituency to represent. If, as the hon. Member, Mr. Osoyo, has just told us that this area is also concerned, it seems as if the Nyanza Region is going to suffer, because now and then there is money to help these people and this money, according to the regions, is going to come from the Nyanza Region. So, Mr. Speaker, I think that even the Kisii people are going to have to pay to feed these people who are being flooded now and then and do not have homes. For that reason, I would suggest that Government should take immediate steps not in the context of Kano but as a national issue that requires a national outlook.

Mr. Speaker, Sir, here we are speaking of water flooding, but I would also like to remind the House that there are many ways of flooding an area. I want to mention that Kisii is very heavily over-populated. Therefore, Mr. Speaker, while the former Member who spoke wanted that these people at Kano should be settled at Muhoroni and that the people at Kano should be encouraged to try to climb the hills and settle I wonder if there is any encouragement in the settlement scheme.

(The Speaker (Mr. Slade) left the Chair)
(The Deputy Speaker (Mr. De Souza) took the Chair)

What I know, Mr. Deputy Speaker, is that people who are encouraged to settle are given loans by Government but no arrangements are made for these people to be able to pay back their loans. I am saying this, Mr. Deputy Speaker, in connexion with this flooding because I know they are people who are encouraged to settle from Kisii. Money was given out for settlement at the Liatago Settlement Scheme. There are about fifty-three settlers and each settler owns about four milk-producing cows and each of these people produce about six gallons of milk a day. Fifty-three people: this means that they are producing a lot of milk per day. But these people cannot sell their milk. Now, if the hon. Member says these people at Kano should be encouraged to go to the hills to settle, what are these people who are going to settle in the uplands expected to do?

These people, I understand, Mr. Deputy Speaker, are expected to pay instalments—monthly instalments or yearly instalments—in order that they may pay up the loans, but where are they going to get the money from? If Government is not making any arrangements.

I understand that the Kenya Co-operative Creameries has got the monopoly of selling milk

[Mr. Anylenk] and if they have the monopoly of selling milk, I understand that these people, who are encouraged to settle and are moved from the flooded areas, apply to join the Kenya Co-operative Creameries but they have always been turned down. They give an excuse that the area on which the new settlers settled did not have a quota before, in other words the *bwana mkuu* who was staying there before was keeping beef cattle. Now, Mr. Deputy Speaker, if the Government gives these people loans, and I understand some people have been given up to Sh. 15,000 in loans, and it is a lot of money when we think there are more than fifty people in these areas. If the Government encourages these people to keep dairy cattle, knowing very well that these people would not have a milk quota, and these people are producing milk, they produce milk and they pour it away. Is there any point in giving these people any loans, and is there any point in encouraging people from Kano?

An Hon. Member: Mr. Deputy Speaker, the hon. Member is straying from the Motion, he is speaking of the Kisii and Sotik areas and the floods there.

The Deputy Speaker (Mr. De Souza): I think he is speaking on the Motion.

Mr. Anylenk: Thank you very much, Mr. Deputy Speaker, Sir, I think I am not astray, because the hon. Member is encouraging people to move from Kano to the flooded area, into the new areas of settlement, arrangements will be made to make sure that these people who are after stealing every time will not be taken away wherever they are going to go.

Mr. Deputy Speaker, Sir, I suggest that the people from Lialago should have an arrangement with the Kenya Co-operative Creameries who should give them a quota so that they may be able to sell their milk. I understand from the Parliamentary Secretary concerned, that the Kenya Co-operative Creameries is closing down the processing plant at Sotik. If this is going to happen, Mr. Deputy Speaker, Sir, then I suggest that these people should not be expected to pay back their loans, and if they are expected to pay back these loans, surely an arrangement must be made.

An Hon. Member: Mr. Deputy Speaker, Sir, is the hon. Member not going too far, because, instead of concentrating on the flood situation around the lake shores, he now speaks mainly of the Sotik situation. How is it connected with the floods?

The Deputy Speaker (Mr. De Souza): I think you are going a little bit further than you should. One can bring other arguments, but I think you must concentrate on the particular area which is in fact, affected, and on which the Motion is in substance. Unless you propose an amendment which I believe you are not intending. I think you should confine yourself to this particular problem.

Mr. Anylenk: Thank you very much, Mr. Deputy Speaker, I was saying this. There are floods in this area, water floods, and I am talking of people flooded out and being moved in to new areas and I do not think I am wrong in talking about floods. I would suggest, Mr. Deputy Speaker, Sir, that if I must only speak of Kano, then I think this is a parochial sort of outlook. I do not think that when a Motion like that comes up, we should be speaking of Kano only and the former speaker, the hon. Member.

The Deputy Speaker (Mr. De Souza): I did not say to speak only of Kano, you should speak generally with regard to the floods due to the water level rising along Lake Victoria shores and the problem that arises out of those floods around the Lake shores, but not talk generally about anything else.

Mr. Anylenk: Thank you very much, Mr. Deputy Speaker, Sir, and on this settlement—I see there is a red light warning—on this settlement Mr. Deputy Speaker, I hope that when these people who are going to be encouraged to move from Kano, the flooded area, into the new areas of settlement, arrangements will be made to make sure that these people who are after stealing every time will not be taken away wherever they are going to go.

With that Mr. Deputy Speaker, I wish to support the amendment.

Mr. Ngala-Aboki: The Motion was correctly worded and it covered nearly everything that anyone could require, except I am supporting it as amended, because, some locations remained that were already flooded, many land farms belonging to these locations have been flooded so many times, some years ago, and nothing has been done since these floods started in 1961.

Now these locations that have been added into the Motion constitute a very great trouble to the people living there, particularly as far as the flood is concerned. I would like to add one location that is not there, but I just add it in my speech. I need not amend the Motion any further, and that is Kenyatta. Kenyatta is a location in which the town of Homa Bay is situated and they have a port there which is used by steamers using the harbour from Kisumu to Homa Bay and to other places and this is broken down and there is no

[Mr. Ngala-Aboki] for harbour or port now, and the people that embark on the steamer have a lot of trouble, because it is all water, buildings which have been there have gone and everything is now under water through floods. I feel, therefore, that something should be done about this. It may be a matter for the regional Administration, but at the same time I feel that it is a part of this Motion which we are debating at the present time. At the moment, we cannot find anywhere to put our goods, the steamers have to stop far out in the water and the people have difficulty in embarking.

The question of homelessness is another matter. It has been emphasized by the Mover of the original Motion and by the Mover of the amended Motion that the question of homelessness should be looked into. Many of these people, after their farms have been flooded, are rendered homeless. Most of the farms are usually near the dwelling-places and when the land is flooded the houses are also flooded.

As far as moving away from the lake shore is concerned, I would like to disagree with the hon. Member who suggested that people should be encouraged to move away from water. They do not, in fact, like to stay near the water, but it so happens that they have been settled there for some years. Now that this National tragedy has taken place it is not necessary that they move to the mountains and the hills. These mountains are, however, already being tilled by the people in this area who are using it for *cassava* as they have been encouraged to do many times by the Ministry of Agriculture. There is no area remaining which is capable of being settled by the people rendered homeless along the lake shores. If the Government does not take steps to settle the people along the lake at Guchia, Ganyada, etc., then the situation will become very serious. What I have in mind, Mr. Deputy Speaker, is that people living in low land, places which could easily be covered by water, should be advised by a team of advisers to move a little—not in the way suggested of going up to the hills and so on—out of the way of the possible rising of the water in the lake. My own home, for example, is not very far from the lake shore and maybe the next time the waters rise it will be flooded. If, however, I am advised that this is an area likely to be covered with water one day, then I can start taking preventive measures and move a little to a place where I will not have any trouble.

Firstly, the farms lands which have been flooded have been destroyed and this is causing hunger and therefore land must be found for these people who have lost their land. Repairs must also be done on many of the damaged

buildings along the lake shore. This may be a matter for the regional authorities, but when people worry and suffer as a result of national disasters, they come to us, as their representatives, and ask us to do something about it. It is not easy for us to go to any particular organization and tell them that they must undertake these repairs. We do, however, draw the attention of the National Assembly to it, in order that we can draw the attention of the administration concerned and see that something is done to rectify this. Many piers and buildings have been flooded and, as a result of this, steamers and other vehicles using the Lake, have to anchor wherever they find it possible. Sometimes these places which they use for anchorage are very dangerous. For example, a person may think there is very little water at one of these places and get it so deep that when he moves towards the vessel, or towards a friend, he may be drowned. I feel therefore that something must be done and the Minister concerned should start organizations working on this matter.

With those few remarks, Mr. Deputy Speaker, I beg to support the Motion as amended.

The Parliamentary Secretary for Lands and Settlement (Mr. Marran): Mr. Speaker, Sir, on behalf of the Government I would like to thank my colleagues on the Government side for a very interesting and important debate and for bringing the whole matter out into the open. I am sorry that no hon. Members on the Opposition side have been able to contribute to this matter of great national importance. However, it is very gratifying to see that there are now considerably more Members on the Opposition Benches than there were during the tea interval. I would like to say at once that the Government is very much aware of this very serious problem and is deeply sympathetic to it. For reasons more of a technicality than anything else the Government is unable to accept the Motion as it stands amended. It is for this reason that the final wording of the Motion reads: "... urges the Government to give priority to the settlement of ...".

Now, I think there is still some misunderstanding as to what the Ministry of Settlement can and cannot do. One of the things that it cannot do under the present Constitution is to determine who shall and who shall not be settled. This is a matter for the regional authorities, and it is the duty of the Ministry of Settlement to settle those people who are selected by such authorities. I am, therefore, going to propose an amendment which I feel will not alter the sense of what the Mover is trying to portray, and therefore I hope that

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he will be able to accept it. The amendment is as follows: that all words after "Government" in line four shall be left out and that in place of the words left out the following should be added: "... to use its influence to ensure that those people who have been made homeless should receive priority in selection for settlement schemes." So that the last part of the amendment will now read: "... urges the Government to use its influence to ensure that those people who have been made homeless should receive priority in selection for settlement schemes."

Mr. Deputy Speaker, Sir, I would like to refer to some of the points which have been brought up in the debate and I would like to come on to what the Government is doing about this problem. There has been considerable debate as to whether the people who have been flooded out should stay where they were, or whether they should move up into the hills and attempt to make a livelihood elsewhere. They were urged by my hon. colleague, the Parliamentary Secretary for Natural Resources, to move out of the area and he requested the Mover that he should encourage people so to do.

I would like to say here and now that when you meet a disaster of this magnitude, although the Government will do all that it can, there must be an element of self-help if there is going to be any success at rehabilitation. I entirely support my hon. colleague, the Parliamentary Secretary for Natural Resources, that these people should be urged to move elsewhere where they can make a living, rather than to sit and wait unnecessarily for the Government to do something for them.

The second point which has been brought up—I think by almost every speaker—is the responsibility, or otherwise, of the Owen Falls Dam construction as a cause for the flooding of the Lake. Mr. Speaker, I am not technically qualified to judge to what extent the building of this dam has, in fact, been responsible. We do know that other lakes have flooded in exceptional climatic conditions over the last few years. We know that Lake Naivasha, for instance, has risen many feet higher than it was. I, myself, on travels in Uganda, have seen the Port of Butiaba—which is on another lake—entirely submerged to the extent that it is having to be abandoned. I do not think that the submerging of that port can necessarily be contributed to the Owen Falls Dam. I do not refute what my hon. colleagues have suggested; all I am saying is that I do not know where the fault lies. I will undertake to see

that Government go into the matter and see whether there is a responsibility for the flooding of the Lake which can be laid at the door of such construction.

One hon. Member, I think again it was the Parliamentary Secretary for Natural Resources, talked of the vacant areas in South Nyanza which are at present covered by tsetse and that they should be used as settlement areas to help to alleviate this distress. Here again, I must refer to other misconception as to what the Ministry, to which I am Parliamentary Secretary, can and cannot do. The Ministry of Settlement is only responsible for settlement inside the Scheduled Area.

An Hon. Member: Why?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Because the Constitution, which many Members on your side of the House claim to have laid down, has made it quite clear that the Non-Scheduled Areas are not the responsibility of the Ministry of Settlement. If you wish to alter the Constitution then, of course, there are means of doing so. The opening up of these tsetse areas in South Nyanza, whereas they might well alleviate the distress we are debating today, must be a matter for the region concerned and cannot be a matter for the Ministry.

The hon. Mover referred to the Kibigori scheme and said that the Ministry of Settlement was at fault because it had not given sufficient technical aid to the production of the settlement scheme. I will undertake to go into this matter and see whether the Ministry should have done more than it has done and, if it has failed, whether it can give any help in the future. I must say, however, that the interim or transit settlement schemes were again never a matter for the Ministry of Settlement, but were always a matter for the Administration, and are now a matter, of course, for the regional authorities. However, if, in handing over the land in the first place, the Ministry was in any way at fault I will undertake that this be put right.

Mr. Speaker, I am rather pressed for time because I want to give the Mover plenty of time to reply, and I do not think I can refer to all the points which have been raised. I would like now to turn to the active steps that Government has been taking, many of which have been referred to but I can highlight them in a little more detail. The first and, I think, the most obvious one is the provision of food for these unfortunate people to whom the hon. Mover has referred. I hope in reply that perhaps the hon. Mover could pay some tribute to the Government for what it has done in this respect. He rather left me with the impression that he was not very satisfied with

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the fact that these people had been given food and he thought it would be much better if they were given something else. Nevertheless, at great expense to the country, food has been provided for the famine areas, of which this is one.

The second thing that the Government has done is that that part of the Kibigori Veterinary Quarantine which lies within the Nyanza Region has been organized for the relief settlement of these people who have been flooded. Somewhere between two and three hundred families are likely to be provided with land there on the same principles as the emergency settlement schemes near Nairobi. As I have said, these will now come under the regional authorities.

I am quite well aware, Mr. Speaker, that these emergency settlement schemes are open to criticism because they are inadequate. I think the House must bear with Government on this issue what one is able to do, even if it is not totally adequate, is better than doing nothing. When one is faced with a national disaster of this magnitude even these schemes of a temporary nature—I am sure hon. Members will agree—are better than doing nothing.

In addition, the Central Land Board is in the process of buying land in the Muhoroni area, between Muhoroni and Songhor, which lies within the Nyanza Region. Plans are already being made for the settlement of this area. There are two elements in this area; one is a sugar element and one is an element which is not suitable for sugar because the soil is wrong for sugar production. It is intended that the sugar development in this area shall be a scheme aided by financial assistance from the World Bank and the Colonial Development Corporation. This kind of scheme requires a considerable injection of capital and the lending bodies require the new settlers to have a minimum of £50 per family of their own. Therefore, it is likely that the sugar scheme, as such is not something which is going to be suitable for people who have been flooded out and are destitute. But apart from the sugar scheme the Ministry does intend to initiate a high density settlement scheme for the relief of those who are poor and it is in this regard that I think we shall see the greatest relief of the distress that we have been debating today.

This high density settlement should be able to absorb many of the flooded people while the sugar scheme can absorb those with financial resources of their own. It is hoped that during the first part of the new financial year we will be able to settle approximately one thousand families on

the sugar scheme and approximately one thousand families on the high density scheme.

Mr. Speaker, I have outlined some of the schemes that my Ministry is making for the relief of this distress. The debate has ranged far and wide, much further than the Ministry of Settlement itself. Nevertheless, I do assure the hon. Mover that his Motion has the greatest sympathy of the Government, and it will do all in its power to relieve the distress caused by this disaster.

The Speaker (Mr. Slade): Mr. Marrian seeks to move a further amendment, but I think, before inviting anyone to second that, we must dispose of the previous amendment; and as we have only about a quarter of an hour for the rest of the debate, including ten minutes for the Mover to reply. Perhaps someone would move the closure of the first amendment and we will deal with that now.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): Mr. Speaker, Sir, I beg to move that the question of the amendment be now put.

(Question that the question of the amendment be now put was put and carried.)

(Question that the words to be inserted be inserted and carried.)

(Question of the Motion as amended proposed.)

Mr. De Souza: Mr. Speaker, Sir, I beg to second Mr. Marrian's amendment which is:—

That all words after the word "Government" be left out of the question and that there be inserted the words "to use its influence to ensure that those people, who have been made homeless should receive priority in selections for settlement schemes".

(Question that of the first part of the amendment the words to be left out be left proposed.)

Mr. Ngugi: On a point of order, Sir, I would like the Minister for Settlement to explain further what he means by the Government using its influence to ensure that these things will be done. I am seeking an explanation about the word "influence" because he has told us now and again that the Central Government has no power over settlement, he said it was entirely the work of the Regional Governments. What I would like to know is what sort of influence he can use?

The Speaker (Mr. Slade): He did make that clear in his speech, but perhaps he would like to explain further.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): What I am seeking to do is this. Whereas I cannot accept a Motion which seeks to give to the Government a

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power which it does not have under the Constitution, the Government, of course, is always able to make its voice felt and one hopes that in the future of this country there will always be a two-way traffic of opinion between the Central Government and the various regional authorities. I do not think that anybody wants to feel that the regional authorities are going to be in watertight compartments, and a Motion from this House would urge the Government to use its influence with the regional authorities to see whether they themselves would not give the priority which this House asks. I hope this will be acceptable to the Opposition.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): Mr. Speaker, Sir, I beg to move that the question of the amendment be now put.

(The question that the question of the amendment be now put was put and carried)

(The question of the first part of the amendment that the words proposed to be left out, be left out, was put and carried)

(Question of the second part of the amendment that the words proposed to be inserted, be inserted, proposed)

(The question of the second part of the amendment that the words proposed to be inserted, be inserted, was put and carried)

(Question of the Motion, as further amended, proposed)

Mr. De Souza: Mr. Speaker, Sir, I beg to move that the Mover be now called upon to reply.

(The question was put and carried)

Mr. Oyoo: Mr. Speaker, Sir, while accepting the amendments there is one point which I would like to correct. My name appears to be put here as "Ayoa", but my name is "Oyoo".

It has been said by certain speakers that my Motion did not include all areas, and I must emphasize that the Motion originally was so extensive as it covered from the Tanganyika border, on Lake Victoria up to the Uganda border, that I put Kano because this is the area I come from and I know about.

Mr. Speaker, Sir, one hon. Member in replying to this Motion, has said that Kano people should not talk of occupying this area. It is quite possible that Kano people originally occupied the area and they were removed by the imperialists. Now the time has come for the people to get back their land, and as the Kano people originally

occupied this area and they are now suffering through this disaster, I think they should be settled here.

There is an area known as Kibos where I think the Government should buy land to settle the people of Kajulu.

The Parliamentary Secretary to the Ministry of Lands and Settlement, in answering some of the points I had put, mentioned that I did not sympathize with the Government. In fact, I do sympathize with the Government, and we are here to help the Government to use the land to the best advantage. These people are homeless and helpless and the Government must help them, with food and homes. If the Government helped these people to settle then they would be independent and would no longer need assistance from the Government. I think it is very generous of us to help the Government in this way.

Returning, Mr. Speaker, to the control of the Nile waters at Jinja Dam, I think this is serious because although many references have been made to this Dam, the Government has not done all it could to help negotiations with the authority concerned. We know the Uganda Government is extracting a lot of money from that dam, but we are not going to let that Government have it at the expense of these people who live at the lake shore.

As time seems to be running out I wish to put the point that the Government should help these people now that we are moving towards our independence. And they should be able to celebrate Uhuru Day in their homes and not in the water; not homeless, not helpless.

Mr. Speaker, Sir, with this point, I beg to move the Motion as amended.

(The question of the Motion, as amended, was put and carried)

Resolved accordingly:—

THAT this House having learned with great dismay of the damage caused by the floods due to the water level rising along Lake Victoria shores, especially in Kano, West Konyango, Karachuonyo, Nyakach, Kochia, Buryala, Samia and Imbo, urges the Government to use its influence to ensure that those people who have been made homeless should receive priority in selection for settlement schemes.

ADJOURNMENT

The Speaker (Mr. Slade): That concludes the business on the Order Paper. This Day is therefore adjourned until tomorrow, Thursday, the 4th July, at 2.30 p.m.

The House rose at fifteen minutes past five o'clock.

Thursday, 4th July, 1963

The House met at thirty minutes past two o'clock.

(The Speaker (Mr. Slade) in the Chair)

PRAYERS**PAPERS LAID**

The following Paper was laid on the Table:—
East African Agriculture and Forestry Research Organization Record of Research for the period 1st January to 31st December, 1962.
(By the Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh) on behalf of the Minister for State (Prime Minister's Office) (Mr. Murumbi))

ORAL ANSWERS TO QUESTIONS

Question No. 13

ATTACKS BY BUKUSU TRIBESMEN

Mr. waz Cheptikit asked the Minister of State (Prime Minister's Office): Is the Minister aware that Bukusu tribesmen are planning to launch attacks on pro-Kanus in Trans Nziia District by forcing Kanu supporters to shout *Majimbo* slogans?

The Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I beg to reply, No, Sir.

Question No. 14

LAND SETTLEMENT

Mr. Matabo asked the Minister for Lands and Settlement: What Government is doing to encourage and facilitate land settlement in the Coast Region, with particular reference to—

- Crown lands.
- Native Land Units.
- Private lands that are lying idle?

The Parliamentary Secretary for Lands and Settlement (Mr. Marriani): Mr. Speaker, Sir, I beg to reply. The Government is doing nothing to encourage and facilitate land settlement in the Coast Region with particular reference to Crown lands, Native Land Units and private lands that are lying idle, because the responsibility for land settlement, except in the Scheduled Areas, lies with the Region under Schedule 4 of the Constitution, Part 2, item 7.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply is the Parliamentary Secretary in a position to state when money will be made available to enable the regional governments to carry out their responsibilities?

The Parliamentary Secretary for Lands and Settlement (Mr. Marriani): Mr. Speaker, Sir, before the new Constitution came into being the Ministry for Settlement was able to do some settlement in the Non-Scheduled Areas. It did attempt to obtain £100,000 for settlement at the Coast but it was unable to obtain the money.

Mr. Ngala: Arising from the reply by the Parliamentary Secretary could he give an explanation why the Government was unable to get the money. Was it because the Government was disallowed by borrowing conditions from the bank or by the British Government?

The Parliamentary Secretary for Lands and Settlement (Mr. Marriani): Mr. Speaker, Sir, I think the reason was that the lending authorities felt that there were more urgent problems of settlement elsewhere.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply can the Parliamentary Secretary tell us whether any attempt will be made in the near future to make settlement a possibility as far as money is concerned in the Coast Region?

The Parliamentary Secretary for Lands and Settlement (Mr. Marriani): Mr. Speaker, Sir, under the Constitution the reference to Scheduled Areas is Scheduled Areas as they were on the 1st January, 1956. At that time, Taveta did come within the Scheduled Areas and the Ministry of Settlement is having discussions, or will institute discussions, with the regional authority with a view to a settlement scheme in the Taveta area for the Taita people.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply is the Parliamentary Secretary prepared to receive other projects of settlement from the Coast Region other than the Taveta settlement?

The Parliamentary Secretary for Lands and Settlement (Mr. Marriani): Mr. Speaker, Sir, I do feel that the Opposition cannot have it both ways. Having produced, or at least being partly instrumental in producing, a Constitution where the help that the Central Government would like to have given has been denied because of the Regional Constitution, it is anomalous for it now to approach the Central Government to ask for help.

Mr. Ngala: Arising from the reply by the Parliamentary Secretary, is the Parliamentary Secretary aware that settlement is under the major development scheme which is a matter of the Central Government and the centre should give grants to the regions in order to enable the regions to carry out their work?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I am aware that the present Constitution has deliberately taken out of the responsibility for the Ministry of Settlement those areas that lie in the Coast Region.

Mr. Ngala: Mr. Speaker, Sir, is the Parliamentary Secretary aware that settlement, the title of the Minister, his own Minister, is "Minister for Lands and Settlement"? It does not say Scheduled Areas at all. A settlement covering the whole of Kenya including the regions.

My question, Sir, is whether the Minister is prepared to make the moneys available to the regions?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I feel that the Leader of the Opposition has made the clear case for some alteration in the Constitution.

Mr. Ngala: Mr. Speaker, Sir, is the Parliamentary Secretary aware that he has not at all answered my question? Can I get the Minister who is present to answer the question.

An Hon. Member: Where is the Minister, the coward Minister?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, the Government is willing, but unfortunately it is circumscribed by the Constitution.

The Minister for Commerce and Industry (Dr. Kioko): On a point of order, Mr. Speaker, is it parliamentary language for some Member in the House to refer to a Minister as a coward?

The Speaker (Mr. Slade): Most certainly not. I hope we shall not hear that again.

Mr. Towett: On a point of order, Mr. Speaker, I did not hear what the Minister said.

The Speaker (Mr. Slade): Please, hon. Members, stay silent when the Speaker is on his feet. The question asked by the Minister was whether it was in order for any hon. Member to refer to a Minister as a coward. I said most certainly it was not in order and I hope I shall never hear it again.

Question No. 19

HYDRO-ELECTRIC STATION AT BRODERICK FALLS

Mr. Barasa asked the Minister for Works: Is the Minister considering the construction of a hydro-electric station at Broderick Falls on the Nzola River within the Government's development plans, in order to encourage the establishment of industries in that area, especially a paper-making industry?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I beg to reply.

As Government has entrusted the development of electric power resources to the East African Power and Lighting Company Limited, it has, itself, no plans for the construction of a hydro-electric power station at Broderick Falls.

The available potential at this stage is too small to justify its development for connection into the national grid at the present stage of development, and the East African Power and Lighting Company Limited has not received any requests for the supply of electricity in the Broderick Falls area, such as might justify either the development of Broderick Falls for local supply or the extension of its existing mains into the Broderick Falls area.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply of the Minister, could the Minister state whether there is potentiality for a paper-making industry in that area?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Yes, Sir. The Government has commissioned an international firm of consultants to go into the question of finding a possibility of introducing a paper-making industry in Kenya. The findings and recommendations of this company have not yet reached the Government, but there is a possibility of opening a factory in that line in that area.

Mr. Ngala: Arising from the reply, Sir, can the Minister give us an assurance that if the industry is set up, the power development would be carried out in conjunction with the company concerned?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, that is the report the Government is waiting for. I am sure when the report is submitted the question of supplying electricity in that area must be included in the report.

Mr. Ngala: Arising from the reply, Sir, can the Minister state when he expects the report to be out?

The Minister for Works, Communications and Power (Mr. Mwanjumba): If the hon. Leader of the Opposition can be a little patient, Sir, it will be out very soon.

Mr. Ngala: Mr. Speaker, Sir, can the Minister tell me how patient I should be and how long I should hold on?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I said as soon as possible; we are just waiting for the recommendations.

Mr. Shikuku: Arising from the reply, Mr. Speaker, Sir, the hon. Minister said if the commission indicate in their report that there should be electricity, but suppose it is overlooked by the commission, are we to take it from him that electricity will not be installed?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I think the hon. Member should just wait and see, because I am sure that that company cannot overlook that question.

Mr. Towett: Mr. Speaker, Sir, the hon. Minister, in his reply, said, "Very soon". Could he tell the House what he means by this? We want to know if it is in two weeks, one month, two years or four years and we want to know what he means by "very soon".

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I am not here to teach the Opposition the English language, I am here to reply to the questions. If he does not know what "as soon as possible" means he should go back to school.

Mr. Ngala: Mr. Speaker, Sir, I understand that this area in question is thickly populated. Is the Minister doing anything to provide village consumption of electric power in this area?

The Minister for Works, Communications and Power (Mr. Mwanjumba): That is another question, Mr. Speaker, but I would say that the East African Power and Lighting Company does not supply electricity because of the population. It supplies the electricity if there is an economic proposition.

The Speaker (Mr. Slade): I would point out to the hon. Members that this question relates to hydro-electric power for industrial purposes.

Mr. Towett: Mr. Speaker, Sir, as I am ignorant of the English language I insist that the Minister tells us what he means by this. This is something we must know.

The Speaker (Mr. Slade): Mr. Mwanjumba, you need not answer that question. We meet this occasionally when a Minister says "As soon as possible" and he is pressed by the Opposition to say exactly what that means, and he obviously does not want to say it, and therefore it is no good continually to ask this question.

Mr. Shikuku: Arising from the Minister's reply, can the Minister tell us if the instalment of electricity in the area will depend very much on the economic point of view? Is he also aware of the potentiality in that area for industries, and these cannot be established until there is electricity? These industries are therefore being established in Nairobi or in the Central Province.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I think I was answering a question concerning Broderick Falls and not Nairobi, and therefore that is rather irrelevant.

The Speaker (Mr. Slade): Mr. Shikuku, this is not related to the question about the Broderick Falls area.

Mr. Shikuku: If I could elaborate on my question, I only gave Nairobi and the Central Province as examples, but there are also other potentialities in the area we are talking about and they will require electricity and the firms will not think of establishing industries in that area because of the lack of electricity.

The Speaker (Mr. Slade): What is your question, Mr. Shikuku?

Mr. Shikuku: My question is: Is the Minister prepared to tell this House that he is going to make all the possible arrangements to install electricity in that area?

The Speaker (Mr. Slade): I do not think hon. Members will get anything more from the Minister today.

I would remind hon. Members that Mr. Ngala desires to raise a matter on the adjournment today; and now I think Mr. Marrian has a statement to make on behalf of his Minister.

MINISTERIAL STATEMENT

OWEN FALLS DAM

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, replying to the Motion by the hon. Member for Wainoni, Mr. Oropo, yesterday on the subject of the flooded victims on the Kano Plains, I undertook to find out if there was any substance in

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the allegation that the flooding of Lake Victoria was due in whole or part to the erection of the Owen Falls Dam. I am reliably informed by the technical officers concerned that the erection of the dam had no effect on the rising level of the lake which has been brought about by natural causes. The position is, that the dam does provide the means to adjust the level of the lake and the question of providing greater storage was under consideration with the proviso that the downstream states would compensate shore-dwellers who would be flooded. Such agreement has never been reached and the flow of water over and through the dam has been exactly what would have flowed down the river had the dam never been built.

I feel, therefore, Mr. Speaker, Sir, that we cannot blame our good friends in Uganda for any of our own troubles.

RULING

SCOPE OF DEBATE

The Speaker (Mr. Slade): I see that this is an official Opposition Motion and therefore according to the decision of the House a little time ago two hours will be allowed for this debate and the Mover will have 30 minutes for his speech.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, we would like a ruling on whether this Motion stimulates a discussion of the powers in the Constitution or just purely and simply the medium of information.

The Speaker (Mr. Slade): It is just as well that hon. Members should understand clearly the scope of this debate. The Motion raises the question of organizing publicity for the position as it stands today under the Constitution. In the course of arguing the necessity of that publicity, I think hon. Members will have to refer to various conditions under the Constitution as it is today and ambiguities they think arise, but they must realize that it is the Constitution as it is today and not the Constitution as it should be which is the subject of this Motion.

Mr. arap Chepkikit: Mr. Speaker, Sir, I wish to have an answer to Question No. 13 from the Minister concerned.

The Speaker (Mr. Slade): Mr. Chepkikit, you must understand that if you want to ask a supplementary question, having heard a reply to the original question moved, you have to ask it very quickly.

MOTION

RESPONSIBILITIES BETWEEN CENTRAL AND REGIONAL GOVERNMENTS

Mr. Matano: Mr. Speaker, Sir, I beg to move:—

THAT in view of the importance of the public being correctly informed on the division of responsibilities between the Central and regional governments provided for in the Constitution, this House calls upon the Government to organize the necessary and urgent publicity for this purpose.

Mr. Speaker, Sir, what I am trying to bring forward today is not really controversial; it is a fact. We have a Constitution and in it there are a lot of things that many people do not understand and there has been a lot of confusion already. I feel the public are entitled to know exactly what we agreed on because unless the public are informed there is bound to be confusion and this confusion may lead to destruction.

Sir, before I go into the details I must say that I am not here to argue as to what the views are or what they are not, or what the Central Government is or what it is not; I am here just to state a plain fact. We are here to work together to achieve that magic thing, *Uhuru*. All of us are dedicated to that. Since we are dedicated to see that our country is liberated and is a free nation and takes its rightful place in the free nations of the world, we should all work together. We went to London to find a formula which would enable our country to live in peace, it had to satisfy everybody and make them happy. We went there and we were determined to find a way of life and a method that would help the people of our country to live together.

Sir, our country is a young country, only in the last six years have we been brought together and the different tribal groups have been brought together to regard themselves as a nation. Fifty years of history is a very short time, Sir, and within this short time we have tried very hard—with the help of lots of people—and we are able now to create this country as a nation.

We came to an agreement on certain things and one of them is the fact that there would be the centralization of powers from the centre to different areas which are known as the region. Now, this is the thing that has brought a lot of confusion. A lot of public money was spent in order that people may come to an agreement. We said in London that time was very unfavourable, the climate was against some of us and yet we

[Mr. Matano] were able to stay on there. It was not easy; they tried very hard to come to an understanding. There were times when everybody thought they were going to break. There were times when tempers were lost. And yet we came to a kind of agreement. Now, if that kind of agreement was agreed the public of this country have a right to know. They have a right to know exactly what was agreed on because, Sir, when we were here we agreed on certain things. When we agreed we signed in good faith that these were the things we agreed and we wanted our country to grow on that pattern, the pattern that we agreed upon.

I need not repeat, Sir, what happened when we came out here. No sooner did we land at the airport than the people started giving Press releases saying that we did not agree on anything. Just the old, old order that will remain. This is very confusing. Others went to say that what we have agreed we have agreed that the regional authorities will run on their own, which of course is not true. There are certain things that we agreed and these things simply must be told, and this Government has a duty to inform the public exactly what this formula was.

Sir, a Constitution is a separate document. The way I see it, Sir, it is a document that will help us, which will direct us, how we are going to live in this country and the fact that there was an agreement is alone something that should be welcomed by both sides. There was an agreement on something. I do not need to repeat the full Constitution. It is unnecessary to do so, as I am sure that many of our Members here and even some of the people outside have an idea of what was agreed upon. The main thing is that the two parties plus the people who were there came to an agreement. Now the people came to an agreement and that alone should be respected as such and if anybody, whether deliberately or knowingly, tries to distort the truth I am afraid he has cheated the Government by trying to put forward to the public what that truth is.

The Government has a duty now. I know that in the past few weeks we were engaged in a political struggle to try and get the seats in this House. There were addresses, especially from the other side, where they exaggerated certain things in order to be made popular. But we are not here, as I would like to warn hon. Members, except as nation builders; we are not here as politicians that are trying to catch voters; we are here as nation builders; we are here to prepare for the future of not only our children but also of our great grand-children who will come afterwards.

Now, if that is the aim of everyone of us surely it is time that we tell them exactly what we agreed on. The fact that we agreed on certain things does not necessarily mean that they cannot be changed. It may be possible to change them. But the main thing is that it can only be changed by mutual agreement. Mutual agreement. It does not help anybody by shouting on the stage or running to the Press and telling people that we are going to tear the whole thing into pieces. Because once we do that it will only lead to trouble.

The Speaker (Mr. Slade): Order, order. Mr. Matano you must not step outside the boundaries of the Motion. We must not talk about the possibility of change, the desirability of a change or the circumstances in which change can be made. We can only talk about the Constitution as it stands today, and the necessity to inform the public on this as it stands today.

Mr. Matano: Thank you, Mr. Speaker. The Constitution is here and I am not planning to try to go into it. As Mr. Speaker has told me I will not try to say how it is to be changed or whether it is desirable to change it. But what I am trying to say is the necessity of telling the people what they should know; the truth, and not half the truth or distorted truth. We want the whole truth (and nothing but the truth).

Now here, Sir, the Press have a very major part to play. We hope the Press of this country will be responsible and it will report exactly what has happened and what was agreed upon and that responsibility which lies on the shoulders of the Press should now be put into action. I hope the Press, the Government and the Press, will decide that the Government will use the Press to be able to tell the public exactly what we agreed upon, because in the past what happened was that all the political matter which was said on the platform was written and they distorted the truth. Now is the time when the Press should be able to come up and help build this country by telling the truth of what we agreed upon and not what one or two politicians want to say in this country.

Mr. Speaker, Sir, we have a duty. As elected Members we have a responsibility. What we agreed on should be respected. If we respect what we agreed on others will respect us. If we begin to say that we agreed on something, but today we do not show respect for what everybody agreed, we shall lose the respect not only of our people here but even of the people outside this country, Sir, at this very moment, we are all thinking in terms of an East African Federation. People have been working very hard on it: they

[Mr. Matano] are trying to work out ways and means, a method, whereby the three East African territories could unite and form one big nation. Now, if at this moment we are trying to tell the people that what we agreed on for a Constitution is not what we respect—and next time we turn round and say we did not agree on that—how do we expect other people to believe seriously what we say? If we want other people to respect us, if we want that Tanganyika and Uganda should believe that in Kenya there is a Constitution that is going to work now as expected, let us respect this Constitution of this country. If we do not respect the Constitution of this country how do you expect Tanganyika and Uganda to respect the Constitution of East Africa?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. The hon. Member thinks that the Constitution of this country is not being respected by us, and I rise on a point of order to have your ruling whether that is the subject of the Motion and, if it is the subject of the Motion, for it to be substantiated.

The Speaker (Mr. Slade): I did not actually hear the words of the hon. Member, but the question as to whether the Constitution is being respected or not is not relevant to this Motion. We have got to come back to the question of informing the public on the Constitution as it now stands.

Mr. Seroney: On a point of order. How can you publicize something if you do not respect it?

The Speaker (Mr. Slade): I do not think that is a very good point of order.

Mr. Matano: Mr. Speaker, Sir, I think I have been misunderstood here. What I have said is what was being spoken on the platforms. It may be damaging. We may not intend to disrespect the Constitution but what we say in public is confusing; is confusing the masses; and because it is confusing the masses it tends to look as if we do not respect it. While I am talking on this matter I think of the people who have been heard to say that we are going to tear the Constitution apart or that this Constitution will not last long. That is really what I mean and what I really still hold with the East African Federation.

Mr. Speaker, I have a few suggestions which I feel should be put forward to the Government. At the moment the Government is doing nothing

about it, and I feel it is time they should take an active part and take the initiative and try to begin to show what was agreed at the Lancaster House Conference in London. I have already mentioned the Press. I think the Press is one organ whereby the Government could pass through to the public exactly what we are agreed on, what our country is going to look like, because the Press as it is at the moment—the Swahili papers, the English papers—is the organ which many people read, which will reach the masses all over the place, and I feel the Government should make use of that.

Another point, Sir, which I would like to bring forward to the Government, which will help to publicize the Constitution, to show the masses what we agreed upon and what we did not agree, is that they should begin to use pamphlets in different vernaculars spread all over the country. I know the Government in the past tried very hard to do this, but it is surprising to note that there are certain areas to which these pamphlets were never spread at all. They went to the head-quarters, they stayed there and never passed on. I feel it is time that this Government began to see that pamphlets are spread all over the place, so that people know what is going on, what has been agreed upon and what powers the regions have, what powers the Central Government has, so that we know where we are.

Mr. Speaker, Sir, another thing which I think could help very much to try to show these different powers is radio and television. It is a pity that television at the moment is only confined to the Nairobi area. I hope before long the Government will see that television is spread all over the place, so that we can reap the benefit of television. At the moment, however, we have the radio and I think if we make full use of it, telling the people what we agreed on, what the regions have, what powers they have got, what powers the Central Government has got, the sooner we do that, the better for us all, because with radio at the moment I think they are trying but they could extend their services and help our people. I was very much interested the other day when I was listening to one feature on the radio—*Ujuzi ya Radio*. In it there were several questions asked on regions, on the Central Government, how they are going to work, the difference between the two National Assemblies and the Central Government. Several questioners sent their questions to the radio and they were answered, and I was very, very careful to listen to the answers which they were given and I was very, very much impressed, Sir. I hope such services will be extended; in fact, I feel there is a big part

[Mr. Matano] which is being played by this branch of broadcasting. I hope the Government will try to encourage this by giving more money to this branch, so that more people are told exactly where we stand.

You go to one area and they do not know what is happening. There are some people even today who do not know that there are Central Government duties and regional government duties; they just do not know. It was only the other day, Sir, when we were forming our Regional Assembly down at the coast that it came as a shock when one of the members who had been elected in the Regional Assembly asked a question about primary school education, asking who will look after it. We said, of course, "You are going to look after it", and he was surprised, because he did not know what responsibilities he has. The Members went on to ask several questions and certain questions concerning the Civil Service and the rest of it, agriculture, and we turned round and said, "Well, this is why you are here, to look after these things." They were ignorant and said they did not realize that they had so much power. Whose fault is it? It is because they were not told.

What I am trying to say, Sir, is that the Government here should be able to serve the country and they can serve the country by telling the people the truth, the whole truth.

Another method, Sir, by which the Government could engage people to know our Constitution is by the spread of pamphlets and the Constitution—whether translated or in English—should be sent to all schools and colleges, so that they can read for themselves, the students who are growing up can read for themselves what kind of pattern we have adopted in this country, which will run our country. That is very important. I feel every school and college in this country should have the Constitution ready for them to read and to ask question on it, so that they can understand what we are trying to do in this country.

Mr. Speaker, Sir, I have dwelt on this long enough. As I said before, my Motion is not going to take long; in fact, I do not think I will take the thirty minutes, I will take less because it is an obnoxious Motion. It is a Motion which I expect the Government to help; I expect the Government to co-operate because it is something which is with us and we must tell the people what we are trying to do, they must know exactly what we are trying to do, in order to get the co-operation of everybody in this country.

Mr. Speaker, Sir, the public is very difficult to satisfy, but we can satisfy them by telling them the truth. I am tired of listening to all sorts of interpretations of our Constitution. Many people interpret it the way they would like it to be, but not in the way it should be or the way it is. Therefore, the Government has a duty here, a duty which is very urgent, to publicize our Constitution. It may mean extra money spent on it, but it will be money well spent, because at the moment there are all sorts of distortions, all sorts of interpretations of our Constitution, and I sincerely hope that the Minister responsible and the Government as a whole will co-operate with every one of us in trying to tell the public exactly what we have in mind, what we produced, and what we think will be best for our country.

Thank you, Mr. Speaker.

Mr. Shikuku: Mr. Speaker, Sir, I beg to second the Motion. Much has already been said by the hon. Mover and in view of the fact that most of the hon. Members in this House at least are expected to know the Constitution under which they were elected to this House, I do not think I will take long on this Motion, as the hon. Mover has said. But, Mr. Speaker, may I beg all hon. Members on both sides of this House, while on this Motion, to try and refrain from what is likely to be construed as something else other than what the Motion intends to convey to this House and the public at large.

When it comes to the question of information, this indeed is a very important aspect, as has been emphasized by the Mover, but in my view it is not only necessary but it is compulsory, and the public in Kenya are entitled to be given information on the Constitution, which is a legal Constitution, and if it is not a legal Constitution, then we should know from the Government today. If hon. Members who took part in the talks in London can take into account how much public money they spent while in London for eight weeks, Mr. Speaker, Sir, the public is also equally entitled to know why their money was spent and on what, and to be given full information as to what did really take place which warranted the spending of their money by some of the hon. Members in this House.

Some people are already shouting about Tshombe, but that is very natural with the hon. Members on the other side. Some of them are very uninformed and do not know why they are here. When they talk of Tshombe, they should also take into account that whatever happened in that country probably happened due to misinformation, and if they can go on and adopt the same system of misinforming the public, then

[Mr. Shikuku]

what took place in the Congo could take place here in a bigger and worse way than the world has ever known.

Mr. Speaker, Sir, they are frightened of Tshombe, but they will be more frightened when they will have bigger Tshombes here. But this will not happen, Mr. Speaker, Sir, here if the Government have, which of course we are told day and night is a predominantly African Government, conveys to the Africans, the population of this country, the information of what really is supposed to be conveyed to them about the Constitution under which they are governed. You cannot govern a country unless the people of the country understand under what policy they are being governed. Therefore, it is very important that this information should be conveyed to the people of this country so that they know under what Constitution, and under what policy, the Government is governing them.

The other point, Mr. Speaker, is this—it has already been stated by the hon. Mover—and it is about the information being conveyed to the people. In Kenya we have distant and remote areas, and at the same time backward tribes amongst us; let us take for example the Turkana area. I have been there several times and I think the hon. Members from that area will agree with me that there are hardly any communications, as far as information is concerned, there are very few indeed. What is the Minister for Information going to do about these people, they are entitled to be informed of the Constitution under which they are being governed. This is something that is very, very important—the Minister for Information should not sit—these people should be informed of the type of Constitution we have and what part they are supposed to play in that Constitution. There are other tribes than this who live in remote areas, and they do not have newspapers. I use this tribe as an example, I do not mean to go into details of all the tribes in Kenya. Most of the Members here are educated men and I hope they have studied their geography and therefore I do not have to go into details. I think this will make it easy to get on with things.

The other thing concerns the Kenya Broadcasting Corporation. Only the other day, in this House, Mr. Speaker, we were told that the Kenya Broadcasting Corporation is to be used for the purpose of conveying to the public what the Government intends to do and it will create a good relationship between the Government and the public. Here is a very good case whereby the Government has the responsibility to convey information to the people so that a relationship

between the Government and the people is created. Of course—and I know it very well—this Government is a Government of the people. I am sure, therefore, Mr. Speaker, that when it comes to the question of supporting this Motion I do not expect any objections from the Government side and, of course, I do not look forward to any amendment. This is a state of affairs that does not need an argument at all. We have agreed to the Constitution and we have even gone so far as to put our signatures to the Constitution and thereby making it a Constitution of the country and the people of the country are entitled to know exactly what is in that Constitution. It appears that the Government all along—as far as I am concerned—have more or less evaded the issue by not coming out in a categorical way to state emphatically what the Constitution is and what was agreed on it. This should be a thing that can help the country.

As a result of this misinformation, Mr. Speaker, I will quote an instance here. When the hon. Members came back from abroad there was a lack of information. There were some who were saying "There is no *Majimbo*" and some were praising *Majimbo*. As a result a fight took place in Mombasa, and if hon. Members will recall, it was a very sad thing because one man lost his life when he was knifed to death. If these people had been told exactly by the Government—if they had been told to publicize it—what took place in London, surely this young man—unfortunately he was a young man and not an old man, but even if he was an old man it was just as bad—would never have passed away.

Mr. Speaker, Sir, before I sit down I would like to say that I feel that the present Government, in the interests of the country and the interests of the people of Kenya, should give us the exact position, rather than giving big publicity to statements after denying the fact that the Constitution does not exist. The Government should tell this House, today, if the Constitution exists or if it does not exist. If it exists then the public must be told what it contains, in full detail and in the various languages. It should be given the widest publicity possible.

With regard to newspapers, on which an hon. Member touched, I feel, Mr. Speaker, Sir, that the Press men in this country have a very big responsibility. They have got to put these things across to the masses. It appears at times that they take the other side of the story and we say something in this House today, but we read in the newspaper tomorrow, we will find that they have only printed what the Government say and not what the Opposition say.

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An Hon. Member: On a point of order, I wonder if the hon. Member would care to read the first issue of the newspaper when the National Assembly first started—

The Speaker (Mr. Slade): Order, order. Will you sit down. That is not a point of order.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir.

I think this is a thing we have all suffered from. The hon. Members in this House—particularly on the Government side—do not seem to understand a point of order and they continue to waste our time here. I would say something more than that but the hon. Member has stood up and talked on a point of order which is not a point of order, despite the fact that the Speaker has explained time and again what a point of order means. I think that is due to a lack of intelligence.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, is it not the right of any Member, if at all he wishes to raise a point of order, to raise it and for the Speaker to rule whether it is a point of order or not? Do we have to learn that from the Opposition?

The Speaker (Mr. Slade): No, but after it has been said to hon. Members several times that a point of order is only a point concerning the procedure of the House, or the conduct of Members, they are expected to know it. What hon. Members are not entitled to do is to rise on something else under the guise of a point of order, that is called a fraudulent point of order. If hon. Members resort to that practice too often they will find themselves told to leave the Chamber.

Mr. Shikuku: Thank you very much, Mr. Speaker. I hope they have understood you this time.

Mr. Speaker, Sir, I would like to say, before I sit down, that the present Constitution is a Constitution for the country and I sincerely hope that the Government, when they stand to speak on this Motion, will not disagree with us as to why this policy should be publicized. I know, if they take into account the well-being of the people of this country—unless they are thinking of themselves—they will think of them as the owners of this country. They must not forget that they are here as representatives of the people. They are, as a matter of fact, the servants of the people. They must, therefore, please their masters

and they must please them by giving them correct information about what they are doing, otherwise they will be sacked in the next election.

Mr. Speaker, I beg to support.

(Question proposed)

The Minister for Information, Broadcasting and Tourism (Mr. Achleng-Oneko): Mr. Speaker, Sir, I rise to oppose the Motion as it stands. Although the Government is fully aware that there is a need for publicity, I am going to show, from recorded facts and figures, what the Government has done after the Lancaster House talks, also what the Government is doing now. References have been made, that I am the Government, and I am answering for the Government. I am going to show exactly what the Press has done, also what we have done in the TV, radio, and also the Press, which was mentioned by the hon. Mover, and I am glad to say that we have fully employed and are using the services of the younger brother of a Minister because of his excellent ability to teach the public on the Constitution and also the interpretation of the Constitution, the services of Mr. Mwendwa are being used, and he is the younger brother of the Minister for Labour and Social Services.

Mr. Speaker, Sir, the information services have been fully used during the last three months in this respect, just before the elections the information services, in co-operation with the Kenya Broadcasting Service, mounted a massive campaign to explain the Constitution to the people. First of all, so far as the Press Office was concerned, the Constitution was publicized to the fullest possible extent, both in the local Press and also overseas. The hon. Member must remember that we have students overseas, and they must be informed. All newspapers in Kenya gave extensive space to the Constitution. This was made possible by a nine-page summary of the main points, which was issued to all newspapers and correspondents by the Press Office.

Later, when the whole Constitution was published, a complete version was made available for the Press. At the same time arrangements were made to enable the individual Pressmen to interview our Constitutional expert, and that is the Legal Adviser of the Legal Affairs, to explain to the Press the full Constitution, the powers of the Government, the regional authorities.

The Broadcasting side made a special effort to publicize the Constitution through the Kenya Broadcasting Corporation network and following arrangements with the Director-General, we prepared a series of fourteen talks, seven on the powers of the Kenya Government, six on the

[The Minister for Information, Broadcasting and Tourism] of the regions and one in the form of the final summary, in comparing the powers of the Government and also the regions. These talks were broadcast on both the Regional and National networks in Swahili, English and various vernaculars. Indeed, the series were repeated by the Kenya Broadcasting Corporation and later these talks were summarized and issued in the form of a pamphlet by the Department of Information, for the public to read, and to be read to those who cannot read. These pamphlets are known as

(Inaudible.)

We published them in Swahili and other vernaculars for our people.

The Publication Section of the Information Services also produced a number of leaflets to help explain the new Constitution to Africans.

Immediately the Secretary of State made the announcement that the elections would be held in May, we issued a "Teach yourself Citizenship" leaflet number 18, which carried this message to the people. Attached here for the information, I can leave it here for the hon. Members, who were probably too busy during the campaign, and did not even bother to read the leaflets. I do not need to read anything to a Lay Reader, or a Church man to read anything. Mr. Speaker, Sir, but I am going to say here that out of two hundred and fifty five thousand leaflets published, 100,000 were in Swahili, 45,000 in Kikuyu, 30,000 in Luo, 30,000 in Luyha, 20,000 in Kalenjin, 20,000 in Kikamba, 10,000 in English, and a few others in various vernaculars like Turkana, these copies were distributed throughout the country. I am going to show, Mr. Speaker, Sir, and I am going to challenge some of the Members here, who asked for these copies and never even bothered to go and collect them at the Railway Station or the Post Office, and I am going to establish that that was done, so there is no reason why the Government can be blamed.

We have the Mobile Units in the country side, our Mobile Units were fully employed in publicising the Constitution. A special script was prepared by the Training Officer in our Department of Information and these were sent throughout the Provinces and the regions. The net result of the campaign, we feel, was that the Information Service did a jolly good job to publicize to the people. I do not want to interpret the Constitution, and I am not going to go into the details whether we accept the Constitution, because we know that we are in this House and we are to be lectured on the present Constitution.

Mr. Speaker, Sir, it was on 12th June, when a letter was addressed, on the instruction of the former Minister of State for Constitutional Affairs, the President of Kadu, Mr. Ngala, to our Ministry asking for copies to be distributed by the Ministry to various branches of Kadu. This was in 1962 when he was the Minister and he asked for copies to be sent to Nairobi, Kisumu, Kakamega and many other stations, at least thirty stations. But, surprisingly enough, some of these branches never even went for their papers.

An Hon. Member: What branches?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, if the hon. Members could be patient I am just going to tell them and I am going to show the letter from the East African Railways. When I finish I will have to give the bill, with your permission, to the hon. Member, the President of Kadu, to pay the demurrage.

Mr. Speaker, Sir, these papers were sent to Kitale and Nakuru, and they were sent right on time, but nobody bothered to go and collect the pamphlets which it cost the Government Sh. 5,025/60 to print, at the request of Kadu. This is a great shame. So when Members are complaining that we have not given enough publicity to the new Constitution, they must in fact blame themselves for the mistake.

Mr. Speaker, Sir, the Opposition must be blamed at this stage, because there is an amount which is owing and which is to be paid to the Railways for having kept the papers which were asked for.

Hon. Members: By whom?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): By Mr. Ngala's personal secretary—

Mr. Omar: On a point of order, Mr. Speaker, according to this Motion, I see that this House calls upon the Government and when it says upon the Government, I take it to mean the present Government, not the previous Government. The hon. Minister has been referring to the previous Government and its publicity activities. I wonder whether that is really in order, because we are asking the present Government.

The Speaker (Mr. Slade): Yes, it is in order because when this House discusses the activities of the Government there is always a measure of continuity in Government as such, even though the composition of Government changes, and very often Government, in speaking of what it is doing today or going to do tomorrow, has to

[The Speaker]

refer to what the Government has done yesterday as being its own predecessor, and here, for instance, it is quite in order for the Minister to say, in effect, that although you are calling upon the Government to do this now, you are also implying the Government has not done it in the past, and the Government is now proving that it has. Yes, it is in order.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Thank you very much, Mr. Speaker, Sir. I was trying to show that the Government has done everything possible to publicize the Constitution, and I have shown already, Mr. Speaker, that we have done this on the Kenya Broadcasting Corporation. We have encouraged the Press, and also the publication section has done a jolly good job to publicize and propagate to the people the new Constitution.

Mr. Speaker, you can see now that we have spent a lot of money in publicising this, and there is no question of blaming the Government. The only thing is that we should be fully satisfied that what the Government has done is correct, and that is why I am going to amend this Motion. I am going to amend it in such a way, Mr. Speaker, that probably the Mover will be able to recognize it, but if he is not careful he may not recognize his own child.

Mr. Speaker, I therefore propose that the Motion be amended to read:—

THAT in view of the importance of the public being correctly informed on the division of responsibilities between the Government and regional authorities provided for in the Constitution, this House urges the Government to continue its programme of informing the public on these matters in order to avoid any confusion.

Mr. Speaker, Sir, with this amendment, I beg to oppose the Motion as it was and urge the House to support the new amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Okongoo): Mr. Speaker, Sir, I second this amendment and oppose the previous Motion as it stood. In the first place, I believe that the Government has been doing an adequate job in publicising the Constitution. It is now two and a half years since the Lancaster House Conference took place—just about that—which is a long time and the people of this country have heard quite enough about the present Constitution. They know enough of all that there is for them to know in that Constitution, so this Motion was completely pointless.

I think the Opposition here should be helped a little bit because they seem to be suffering from *Majimboism*, so that they are completely incapable of thinking of some of the other problems which are facing this country. It is because of this that they were not successful at the last elections. In this country we have so many problems to solve. We have the educational problem—our children need to be given education and they do not care whether they get it from the *Majimbo* or from the Central Government. We are therefore interested in saving the money for giving education rather than just making the people sing *Majimbo*. That is not going to help them at all. It seems to me that according to the previous Motion that this is what the Opposition wanted us to do.

Mr. Shikuku: On a point of order, Mr. Speaker, is the hon. Member in order in leaving the subject? He is going into the question of education and so forth, instead of talking about letting the public know about the Constitution. Is that in order?

The Speaker (Mr. Slade): I think the hon. Member was on the edge of being irrelevant. He just managed to make it relevant by saying that we cannot afford the money for this publicity when we want to spend it on education, but do not go too far down that line, Mr. Okelo.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Okongoo): Thank you, Mr. Speaker, Sir. I was interested in making clear to the House and to the Members of the Opposition that the amount of money which is being spent now on information is quite adequate for that, and especially when thinking of the other problems which we have. I wanted the Opposition to get this very clear, that there were a lot of other problems that we needed to solve. I have mentioned education, and there are also economic and health problems, and these problems are all things which interest the Government and, therefore, the Government is not going to concentrate, as the Opposition would wish, on merely explaining the Constitution to the people. The standard of living of our people is very low. We need to raise this and we need to think about this.

So, Mr. Speaker, Sir, I am supporting the amendment and state that the amount of time and the amount of work which is being put in to publicise the Constitution is adequate and then I would also like to remind the Opposition that even when one is learning civics or studying Government constitutional procedure, study is one of

[The Parliamentary Secretary for Finance and Economic Planning] the things that come very late in one's life at college and therefore no one should really expect inside out, and that everybody in the street or in the village is going to be able to interpret the Constitution as it should be interpreted. As a matter of fact the Members of the Opposition have always been misinterpreting this Constitution and this is what has been leading to a lot of problems.

Mr. Ngala: Mr. Speaker, Sir, is the Parliamentary Secretary in order in imputing that motive to the Opposition?

The Speaker (Mr. Slade): Mr. Okelo-Odongo, you should give some substantiation of that statement.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I think this should be interpreted in a certain way. There have been a lot of statements to the Press with regard to this *Majimbo* business, that unless there was *Majimbo* the Luo and the Kikuyu are going to dominate and things like that—

The Speaker (Mr. Slade): Mr. Odongo, I understand that you have alleged that the Opposition have misrepresented to the public the Constitution as it is now, and if you allege that you must give one example of misrepresentation. One specific example of that.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I also know that on this question of *Majimbo*, the way the Opposition have been telling the people the meaning of *Majimbo*—

The Speaker (Mr. Slade): Mr. Odongo, I asked you to give a specific example.

Hon. Members: Withdraw, withdraw.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): No.

The Speaker (Mr. Slade): Order, order. When hon. Members are required to substantiate allegations it is in order for them to say that they have not got the evidence with them, but that they can produce it within, say, 24 hours; but when they have said that they are held to it, and if they fail they have to come and apologize to this House afterwards.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I would like to remind the Members of the Opposition that I generally take several years to be able to interpret Constitutions. Therefore, if this is the position that the Opposition would like, that everywhere they go the people should be able to tell them things about the Constitution, they are quite wrong, because this is not done anywhere. I feel that a knowledge of the Constitution among our people in Kenya is adequate and what the Opposition wants is simply promoted by a misguided frustration because it seems to me that the Opposition feel that the people do not understand the Constitution and that is why—

The Speaker (Mr. Slade): Point of order, Mr. Ngala?

Mr. Ngala: Mr. Speaker, Sir, can the hon. Member explain what he means by saying that the Opposition wants, or the Members on this side want misguided frustration?

The Speaker (Mr. Slade): Although it is not a case for substantiation it is still a case of imputing improper motives. This will not do, Mr. Okelo-Odongo, and you must withdraw such remarks. Please withdraw them.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): I withdraw, Sir.

Mr. Speaker, Sir, I think that my colleague the hon. Minister for Information, Broadcasting and Tourism, made a very factual address to the questions that were raised and it seems that as far as radio programmes are concerned and as far as all other mediums of information in this country are concerned quite a lot of publicity has been given to the Constitution. Therefore, Mr. Speaker, Sir, without taking up too much time I completely oppose the Motion as it stood before and support the amendment that has been made by the Minister.

(Question of the First Part of the Amendment that the words proposed to be left out, be left out proposed.)

The Speaker (Mr. Slade): Discussion of that amendment can be combined with the discussion of the main question and gives the right to each Member to speak once only.

Mr. Ngeir: Mr. Speaker, Sir, I think this was a straightforward, non-ambiguous Motion. I am saying so, Mr. Speaker, because this is a question of information. We are not here to discuss this

[Mr. Ngeir] Motion on trying to promote the political propagandas of either the Government or the Opposition, but the right—we being here as the representatives of the people, elected on their votes, to come here and represent them. They want this House to present the case to them in the truest sense. They do not want fabrications, they do not want political propagandas, and I know, Mr. Speaker, whether we want it here or not that there is a tug-of-war between two parties. But that is not what we want.

We know for certain, and this has been said now and again, that these things have been signed in Lancaster House. I do not think the Minister for Information was there, I think he was somewhere around, but he just was not there.

Mr. Speaker, this is a case where the public is required to know the truth. Not about the political ideology and propagandas. Let us take for example the Minister for Information, Broadcasting and Tourism who is prepared not to shout about a problem where perhaps one of the Government Members or somebody else outside is demonstrating the twist on television. Rather than that as a President of a Region, inspecting a guard of honour, in his own region, and the public is left in amazement. Here is the President of a Region inspecting a guard of honour in Nakuru and we are told there is no region.

Here is a Regional Assembly meeting and, Mr. Speaker, we have our voters' card which we are still keeping. You have the Regional Assembly, the ordinary man with the lights and shades of the English language takes out the card and says "Regional Assembly" and we are here led to believe that he must have been participating in a play or drama with the pretext of government. And when we go to the Regional Assembly, nothing. We are just left blank. I think that we should not really waste our time here if we are going to be told little, but that it is all play acting. What the public wants to know is whether these bodies exist and what powers they have: it is as simple as that.

I am not really advocating going back and spending public money on having big posters of presidents of regions and also perhaps some of the Government Members in those posters: or house-warming parties. We can use this towards the radio by telling the ordinary voter what is a Regional Government and what is a Government; what powers they have. Mr. Speaker, this is very unfortunate. When you have a responsible Minister in the Government, he spends his time shouting instead of really reasoning. I am trying in a way to be very impartial and yet he shouts at

the top of his voice. What we want in this House, Mr. Speaker, is a very simple thing: that the people must be told what is the truth. The Government has been shouting that the Regional Assembly is not there, and so on. We know, we can produce evidence of this in the newspapers, if the newspapers are to be the only exhibits of this House and not the Constitution. We went to election saying that we want Members of Regions. Mr. Speaker, I am serious about this. We went to elections, and this Government also had to nominate prospective candidates for the Regional Assemblies. Kanu returned Members to the Regional Assemblies as well as Kadu, I am welcoming a President of the Eastern Region on 13th and 14th, and I believe he is on that side. But because he is wanting to change the Constitution what am I going to tell the voters? I have got to tell them that this is the President of one of the regions. The voters will ask me, Mr. Speaker, what functions and what powers has he over us. I have got to tell them. But I am not the Minister for Information. I think that it is the duty of the Minister for Information to use the Kenya Broadcasting Corporation and to use other means of communication to tell the public what they are entitled to know.

Therefore, Mr. Speaker, I would like to say, in my simple submission, that we should not waste money on television in trying to show a fight between two bodies which have different political ideologies. One body wants a regional government and the other one says there is a unitary Government. These two bodies then clash and when they clash that is when the Minister for Information comes in. He should use the television to show the people that there is a clash and to show them hitting each other on the head.

Mr. Speaker, I think this Motion was brought with the best of intentions. It acts for fair publicity on the regional government that we have. Thank you, Mr. Speaker.

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, Sir, when we consider the main points brought by the Members of the Opposition we really ought to make this position very clear. The point is this: information regarding the Constitution that we have in Kenya has already been given to the people by this Government, and all the amendment says is that this Government should "continue" to give that information to the members of the public.

It was indicated in the original Motion that nothing has been done, either by the Department of Information or by the Kenya Broadcasting Corporation, which is Government-sponsored but independent. I say that the Government knows

[The Minister for Commerce and Industry] what is being organized for publicity. The facts are that even when we were in London, information was coming out constantly as to what was going on. As soon as it came out the information was published and I am sure the members on the Opposition and the Government sides are aware of the various publications the Government has had. The *Teach Yourself Citizenship* is one of them. All the Minister for Finance has said is that we will continue to give this kind of information.

Mr. Speaker, Sir, if they keep bringing in the question of the Twist and other kinds of entertainment, I would like to make this point clear; whether or not one likes the Twist the point is that we cannot have in the Kenya Broadcasting Corporation programmes speeches and lectures about the Constitution from 6 p.m. to 11 p.m. There must be some variation. The hon. Member for, I think, Kangundu—

Mr. Ngũ: On a point of order, I am not the Member for Kangundu, I am the Member for Machakos North.

The Minister for Commerce and Industry (Dr. Kioko): Mr. Speaker, Sir, I am very grateful for the educational information that has been imparted to me. The hon. Member for Machakos North.

The point is that though some people do not like the Twist on these programmes, that is a different matter and I am sure the Director of the Kenya Broadcasting Corporation—whenever is in charge of television programmes—as well as the Minister for Information will be most grateful for advice. The point that I want to emphasize again and again is this; to accept the Motion as it was originally put would mean that the Government, this one or the previous one, has never said a word about the Constitution and that we cannot accept because that is absolutely incorrect. What we want to state is that from now on we are going to continue with what has been done before. The Opposition should not accuse the Government that it has not been done at all. Therefore, it is not a question of what various parties said during the election. Constitutions are not very easy to understand, and the Kenya Constitution, we agree, is a difficult one to understand. I could say a lot of things, but the point is we must continue to tell the people what the Constitution says. But, to assume that this has not been done before is to make a serious implication against the work of the Kenya Broadcasting Corporation, against the work of the radio, against the work of the Department of

Information and against the work of every other person who has done his level best—within his understanding—to explain to the people what the Constitution really means. We must be fair in this House when we move Motions like this, and give credit where credit is due and therefore we must accept the Minister for Finance's amendment and will continue to explain to our people what this Constitution is about, instead of implying that the Kenya Broadcasting Corporation, the newspapers, the Department for Information or any other person has not done this work in the past.

I beg to support the amendment.

Mr. arap Moi: Mr. Speaker, Sir, firstly I should like to say that the Government is becoming as obtuse as the Imperialist Government of the past. I say so, Mr. Speaker, because the Government has not accepted its responsibilities. They are telling us today that they are not able to govern the country, they want only to have Central Government policies and not to keep the regional governments' and the local authorities' policies. What I am saying is that the Kenya Broadcasting Corporation is becoming a gramophone record of the Government and does not serve the whole country. If they want me to substantiate this I can do so.

The Minister for Commerce and Industry (Dr. Kioko): On a point of order, Mr. Speaker, and I am glad to raise this point of order, the hon. Member said that the Kenya Broadcasting Corporation is a gramophone record for the Government and that he can substantiate this. If he can really substantiate that we would be most grateful if he would.

The Speaker (Mr. Slade): I would have said that an allegation like that was quite impossible to substantiate because it was an expression of opinion. It was not an allegation of fact, and I do not think the hon. Member was talking sense to say that he could substantiate it, nor would I say that he must substantiate it. It is one of the cases of expression of an opinion, which hon. Members must judge for themselves on the facts, but I do not think it is very relevant to this Motion.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): On a point of order, Mr. Speaker, is it proper for the hon. Member for Baringo to deceive the House when he knows that he cannot substantiate and then he says that he can?

The Speaker (Mr. Slade): Yes, it is proper for hon. Members to express their opinions. It is for hon. Members to judge whether they are talking

[The Speaker] sense or not. If they express fantastic opinions then you can judge them as not being very responsible.

Mr. arap Moi: Thank you, Mr. Speaker, but I was going to substantiate and if you will allow me I am prepared to do so.

The Speaker (Mr. Slade): It is not very relevant to this question.

Mr. arap Moi: Mr. Speaker, Sir, I was saying that the Kenya Broadcasting Corporation should disseminate policies and give information through the Kenya Broadcasting Corporation to the whole country, they should not just serve the Central Government. The Minister for Information, Mr. Speaker, seems to suggest that he is only running the Kenya Broadcasting Corporation and the Information Department and he has no other duties except to authorize them on particular jobs.

The Motion which was moved earlier put this in a straightforward manner, namely that the Government should facilitate ways and means of helping the country to understand what the policies of the Central Government and the regional authorities are. The Government still refuses this and they are being evasive in what they want to tell us. If the Government is interested in this field then they must tell us today, if they do not want it then they must not blame the Opposition, they must blame themselves. Every now and then some of the hon. Members opposite say what they like without allowing the Ministers to state the Government policy. Therefore, Mr. Speaker, I should like to tell them not to allow other Members to speak as they like on this Motion. The Government should help the country by telling the people the truth and not half the truth, so that the country can go through to independence peacefully. I want to tell them that the responsibility is theirs, and if they do not want those responsibilities then they had better tell the country that they have won the elections but they are not able to carry the country through to independence.

Mr. Speaker, I beg to support the Motion.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, it is said to listen to the hon. Member who has just spoken. He has said nothing that was relevant to the Motion and secondly he has come and told the House only one thing and that is that he does not feel that he, and Members sitting on the opposite side, have as much responsibility to ensure that there is accurate information, and to ensure that everybody is informed fully about the

Constitution. All that he wants to do is to repeat—like a parrot—what we are now getting used to, he blames the Government for everything, I think he will also blame it for the day when he ceases to breathe.

Mr. Speaker, the Government has amended this Motion only for one reason and that is that it was going to be a misleading interpretation of the facts. The facts are—and we have not been challenged—that for over a year the country has been kept informed, by the Government, through radio broadcasts, the Press and other means of information, of the provisions of the new Constitution. If there has been any misinterpretation of the Constitution that is not at issue in this debate. If there has been misinterpretation through any media of the Government then, of course, that should be raised in this House, but that has not been raised. The very negative attitude of the Opposition has, I believe, removed from what the Mover of the Motion wanted to impress upon the House. Incidentally when the Mover of the Motion spoke he referred to the radio programme—which is, I am glad to say, run by his own brother—and in which the Government is doing everything possible, in simple Swahili, to educate the people. I am glad the Leader of the Opposition acknowledges that it is run by the Government. This is information which he ought to have given his own group before coming to the House.

Mr. Speaker, I do not believe that there is very much more that needs to be said in this debate, except repetition and a lot of negative statements from the Opposition. But I want merely to make one point, and that is this. The Government will continue to do as effectively and as efficiently as it can the job of informing the public, but the Opposition must accept, and every Member in this House must agree, that each and every one too has a responsibility to pass on that information to the people in his constituency and throughout the country. There is no reason why Members should merely come here and complain that the Government has not done this or done that when they have not asked themselves whether they, on their part, have done what they ought to do and what it is their responsibility and duty to do in their own constituencies. Consequently I suggest to the hon. Members opposite that, instead of adopting a schoolboy mentality and instead of waiting to be spoon-fed, it is time they grew up, went into their own constituencies and tried to help the job which is now being done by the information officers throughout the country to disseminate this information to the people and the country at large.

Mr. Seroney: Mr. Speaker, Sir, I rise to support the original Motion and I regret that my hon. friend on the opposite side has chosen to give a misleading interpretation as regards the intention of this Motion.

This, Mr. Speaker, is a very serious subject. We have a very complicated Constitution. It has 247 pages and it is longer than the United States Constitution which caters for fifty states. Hon. Members opposite blame us on this side for it being too long, but I blame the Members on the other side for opposing our proposals, and it was an attempt at compromise by the British Government that we now have a hopelessly complicated Constitution. Having a complicated Constitution, Mr. Speaker, we have two lots of people to consider: we have the public but we have also the public service. I regret to say, Mr. Speaker, that in my recent tours in my constituencies—

Hon. Members: Why more than one?

Mr. Seroney: Hon. Members have said, "Why more than one?" but then it was the previous Government which allowed a person to have more than one and I happen to have taken advantage of that.

In going round my constituencies, Mr. Speaker, I found a regrettable position which is tragic in the interests of this country, where the public servants do not know where they are. If the hon. Minister and his Department had done their job properly, then this confusion would not be there. I accept what the Minister for Justice and Constitutional Affairs has said, that this is the responsibility of both sides of the House. I accept that, but after all we budget in this House to finance the Ministry of Information, then they should earn their keep by doing their duty—namely, explaining in simple language—not in this complicated thing which I doubt many Members in this House understand—what the position actually is.

Mr. Speaker, Sir, the hon. Minister for Information, Broadcasting and Tourism has taken advantage of what was done by his predecessor, namely, the present Leader of the Opposition. All the documents to which he has referred were produced when my hon. friend was a Minister. If there have been any other papers, I will be very grateful if he can show us which ones they are. Mr. Speaker, Sir, all those documents related to different phases of discussions in the Council of Ministers as to what had been agreed upon. This complicated document came into force just a few days before nomination day, and I would like to know from this Government what it has done, not in respect of the Minutes of the Council of

Ministers, not in respect of communiques issued as a result of the visit of the Colonial Secretary, but what steps it has taken since this Constitution became law. If they have done something and I have managed to overlook it, I shall stand to be corrected. This is essential, Mr. Speaker, in view of conflicting tendencies.

We are concerned in this Motion not with what the Party which is now the Government aims to do in future or, for that matter, what the Opposition aims to do in future, but with the question of fact now. We do not want to confuse the public just as the Party opposite now confused the public and delayed the implementation of this Constitution for nearly four months after Lancaster House by denying what they had agreed to.

The Speaker (Mr. Slade): I do not think this is really relevant to the Motion, Mr. Seroney.

Mr. Seroney: Thank you, Mr. Speaker. What I am getting at, Mr. Speaker, is that, as I have said already, we on this side of the House accept our responsibility as Members of the Opposition or as Members of the relevant Regional Assemblies to do our duty to teach the public servants within any given region what their responsibilities are. I can assure hon. Members opposite that we intend to do it, but we also expect that where the Kenya taxpayer helps to finance the Ministry of Information, they should also do their job, not in cheap propaganda but in explaining in simple language what everybody is expected to do under this Constitution. The hon. Minister claimed credit as a result of what the previous Government did. I wish to place on record that this side of the House does not complain, as far as information in concerned, about what the previous Coalition Government did. We know that it was a Coalition Government, we know that they accepted collective responsibility and, therefore, what my hon. friend, the Leader of the Opposition, did was then as a result of the collective responsibility of Members on both sides of the House.

What we are calling on the Government to do is this. Since the Constitution has come out, we want directives, we want to know what the Minister for Home Affairs is expected to do with regard to the regional administration, whether he can give orders direct or through the regions; that is what the public service in the regions want to know. Of course, we also want the public themselves to know where they stand, and Members of this House. Mr. Speaker, Sir, I am not worried about my position, but I want to clear the confusion as far as the public and the public services is concerned.

(Mr. Seroney)

In this amendment, Mr. Speaker, I regret there is a flaw, and it is a flaw which arises as a result of something which the hon. Minister for Justice and Constitutional Affairs said several weeks ago. In trying to distinguish between these two words—Government and Authorities—I think he endeavoured to make a fictitious distinction. There are, Mr. Speaker, regional governments. A Government is a body which governs, which through proper channels makes laws and which has executive authority. So, regardless of whether the Constitution calls it an Authority, it is in fact a Government, just as the Government of New York is a Government. I mention New York as a State within the United States of America, because they have a Central Government in the United States, just as this Constitution specifically states that there shall be a Central Government.

If there is any legality or any illegality at all, I cheerfully invites my hon. friend, the Minister for Justice and Constitutional Affairs, to challenge us when we style the Regional Authority of the Rift Valley as the Government of the Rift Valley Region.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The challenge is accepted.

Mr. Seroney: The hon. Member says the challenge is accepted, but Mr. Speaker, leaving all Party controversies aside, some people may want to tear up this Constitution, some people want to preserve it, some people want to change it, and so on, but the main purpose of this Motion is to urge that this Constitution be adequately explained to the people through the Information Department. Reference has been made to the Kenya Broadcasting Corporation. It has been stated that there have been programmes in the Kenya Broadcasting Corporation. I do not challenge that. The main purpose of this Motion is to galvanize that particular section of the Minister's Department; namely, information—

The Speaker (Mr. Slade): Mr. Seroney, that is the end of your time, I am afraid.

Mr. Seroney: With those remarks, Mr. Speaker, I support the original Motion.

Mr. De Souza: On a point of order, Mr. Speaker, I beg to move that the question of the amendment be now put.

The Speaker (Mr. Slade): I think there has been enough discussion to justify that question, in fairness to all hon. Members. We can still have further discussion after the disposal of the amendment, so I will put the question.

(The question that the first part of the amendment be now put was put and negatived)

(Resumption of debate on first part of amendment)

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kocheck): Mr. Speaker, Sir, although Members of the Opposition are rather jubilant because they have had the "Noes" with loud voices like old crows it has been pathetic to listen to people who have shared the responsibility for misinforming the public of this country about the Kenya Constitution. But I have been noticing remarks from the other side. I have heard the Member for Machakos North, for instance, mention this. We want to build a nation; one-nation. But it is just because of the obstructionist policy of the Members opposite that things are delayed. There were a few points about not facing up to our responsibilities. It may be that you people are not interested that we really serve. Perhaps you do not really mind.

Mr. Speaker, Sir, I have also heard the Member for Butere speak about people having been misinformed. It happen to be in the constituency bordering on the one in Butere and I hope there are people from Butere in this House who could confirm that the person who deceived the people most in the Butere constituency is the Member for Butere.

The Speaker (Mr. Slade): Order, order. I do not think it is helpful to this debate at all if hon. Members keep on alleging misrepresentations in the past by the other side. This Motion deals only with informing the public of the present position, and discussion must be confined to what is really relevant to this Motion.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kocheck): Well, if I have to know it is certainly not from the sort of Standard-II like the one the hon. Member has just referred me to. It appears, Mr. Speaker, to me that this is the old tug-of-war as to the powers of the regions. Everybody has been trying his best and everybody, I hope, will be keeping on trying his best to let the public know what is going on. The Constitution is large and it has got all those pages referred to by the Member for South Nandi. That is not the fault of the Government at all!

The Minister for Information has given you a clear picture—he puts you in the picture—of the details of what the Government has been doing since it started. It is still convenient to do so, but simply because the Opposition says nothing, and the people of the Information Department

[The Parliamentary Secretary for Natural Resources]

have got nothing to say about what the Opposition says, you cannot blame the Ministry for not making a suggestion. The Information Services cannot make statements of the Opposition from a hat; they are not magicians.

We have been accused of not respecting the agreement of the Lancaster House Constitution. Surely we have done our best, and as you have been assured, we will continue to do our best respecting this.

Just to show that—

The Speaker (Mr. Slade): Mr. Argwings-Kodhek, that is not relevant.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, during the period just before the election everyone on this side of the House tried his best to let people know what they were to expect in the present Government. Whatever is going to happen about the Constitution, whether in Swahili or in Giriama, the people will have to know about it; but that is another matter. If the Opposition is interested in getting the people to know about these things I hope the Opposition will sincerely support the Government in doing so.

My final point then, Mr. Speaker, Sir, is that a Member complained—the Mover, whose younger brother, I understand, is in charge of informing people here—that the people in his particular constituency who are members of the Regional Assembly at the Coast do not know what the Constitution contains because of the lack of information by Coast Members, but we hear that at the Coast Kadu is strongest; so they say. But if there is a failure that the people at the Coast still do not understand the Constitution this is a very good and clear indication that Kadu has failed.

The Minister for Labour and Social Services (Mr. Mwenda): May the matter of the amendment be now moved, Mr. Speaker?

The Speaker (Mr. Slade): Yes, it is high time now. I have to call on the Mover to reply very soon, so I must ask hon. Members to agree with the question being put on the amendment now. *(The question that the first part of the amendment be now put and carried)*

(Question of the first part of the amendment that the words proposed to be left out, put and carried)

(Question of the second part of the amendment that the words proposed to be inserted, be inserted, proposed)

The Speaker (Mr. Slade): I have now proposed the second part of the question in the terms that I have just described.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, may I move that the question of the second part of the amendment be now put.

(The question that the second part of the amendment be now put, was put and carried)

(Question of the second part of the amendment that the words proposed to be inserted, be inserted, put and carried)

(Motion, as amended, proposed)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, Sir, may I move that the Mover be now called upon to reply.

(The question was put and carried)

Mr. Mbatia: Thank you very much, Mr. Speaker. It is very encouraging to hear from the Government side the fact that they also realize that we appreciate the importance of being told the truth and from what they say I hope that the Government will not only say but they will act immediately and let people know what is going on; and tell the people exactly where the division is between the Central Government and the regional governments.

It is no use here passing resolutions and say to people it is very difficult to tell them exactly what the future means. They have a duty to explain the Constitution to the people; it is a very important document. It is the life of the country and if we are going to pull together to make this country a prosperous country, a nation, that we like to live in then we must all have a position where we know what is going on, what we are trying to do, and therefore work together.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Mr. Deputy Speaker, Sir, I do not condemn the Information Department, I think they are doing their best. Some people think that it is gratifying that they went on mentioning that my brother is there. It is not a question of my brother being there. If you want my sister will come there also and do the job. But, the main thing is I want the job to be done, whether it is somebody's brother or cousin or his great grandfather, it is irrelevant. The main thing is that we want the job to be done, and it must be done now.

[Mr. Mbatia]

Mr. Deputy Speaker, Sir, it is very important that the public be told, terribly important, because we are the Opposition, we are responsible, and it is because we are responsible that we have brought this Motion here, to try to put right some matters which were spoken on the platform on the eve of the elections and which have led to a lot of confusion. I feel it is time that a step was taken to put these things right. We have shown that we are responsible and that is why we have put this Motion here, and we hope that the Government will act on its word, and do more, because if something was done it shows that this was not enough, otherwise there would not have been such ignorance of what is in the Constitution. Mr. Speaker, Sir, there is ignorance everywhere, even where the Minister for Constitutional Affairs comes from. Many people do not know what is in the Constitution, and they should be told in no uncertain terms. What we are trying to say at the moment, Sir, is that we don't want the public to be misled by politicians. We want them to be told in no uncertain terms, what they should expect from the regions, what they should expect from the Central Government, so that there is no confusion. At the moment there is a lot of confusion, they don't know where they are and I feel it is the duty of the Government to do these things now and not just say that they will do it, or they are planning to do it. We are not interested in what they have been doing, we want to know what they will do, and this is the time when we want the Government to act and to act now.

Mr. Deputy Speaker, Sir, I don't think I will dwell on it, because time is up and I do not think I spent my thirty minutes. It is a Motion that has been straightforward and I was very surprised to see that the Government wanted amendments, because there was nothing argumentative in it, just a straightforward fact, that I want the public to be told the truth, and the fact that the Government has agreed, and they have told this House that they will do their best to tell the public the truth. I feel I need not dwell on it, but wait to see what our Minister for Information and Publicity will do. Mr. Deputy Speaker, Sir, I thank you very much.

(The question of the Motion as amended was put and carried)

Resolved accordingly:—

That in view of the importance of the public being correctly informed on the division of responsibilities between the Government and Regional Authorities provided for in the Con-

stitution, this House urges the Government to continue its programme of informing the public of this matter in order to avoid confusion.

MOTION**WOMEN AS SPECIALLY ELECTED MEMBERS**

Mr. Omondi: Mr. Deputy Speaker, Sir, I beg to move that this House acknowledges the full and vital part of women in the life of our country and calls upon the Government to replace some of its Specially Elected Members with women. I think everyone in this House, and even outside, believes that in building a young nation like Kenya a contribution from women is needed. Women in this country have played a vital part in building the nation and since internal self-government was attained they have been very active in the social activities and the development of this country, and now the fact that Kenya is almost to attain full independence I think it would be a very good idea if we can get women in this House. The women of Kenya have shown ability in representing the interests of all people in this country at African district council, county council and even at interregional levels.

Mr. Deputy Speaker, Sir, you will remember that in the previous Government there was a woman Member. In the Tanganyika Government there are some women members in the National Assembly and, by having these women members in the National Assembly in Tanganyika, it shows that women have a very important part to play, so if that is the case in Tanganyika I cannot see any reason why we could not have women in this National Assembly. The women in this country are very intelligent; enough to represent the interests of women and of the country as a whole, and therefore I feel that it is very important that we should have some women Members and I think the only way to get them into the National Assembly is to get some of the Specially Elected Members on the Government side to stand down and replace them by women. Of course, I think that if we want to build a nation it has not got to be built by men alone, it has to be built by both men and women. If we are in the Opposition here had the opportunity of having many Specially Elected Members, I am sure, Mr. Deputy Speaker, we would try to stand down some of our Members and get them replaced by women.

Hon. Members Hear, hear!

Mr. Omondi: This is a very constructive suggestion. The Government has always said that we want a constructive Opposition and I think this is one of many examples, in fact, it is a challenge

[Mr. Omar] to the Government. If they really want to show that they want a constructive Opposition, they should accept this Motion without any amendment, so that the women can feel that they have a part to play in the building of the Kenya nation.

All those elected Members on the Government side and the Opposition side have been elected by men and women and it would be unfair, if we could not get women's views in this National Assembly.

Mr. Deputy Speaker, Sir, with your permission I will make reference to the Central Legislative Assembly. I know there is a woman member of that Assembly.

Hon. Members: From where?

Mr. Omar: From Uganda. This woman has been doing a lot to represent the interests of the women, not of Uganda only, but of East Africa as a whole, so I think there is really a need, Mr. Deputy Speaker, for the Government to stand down, some of their Specially Elected Members and replace them with women. With these few remarks, Mr. Deputy Speaker, I beg to move.

Mr. Shikuku: Mr. Deputy Speaker, Sir, it seems that the hon. Members on the other side are taking this very lightly and laughing it away. But I would like to draw their attention, especially those who were elected and did not come through the back door, to the fact that most of them got votes from women. I for one got a lot of votes from women.

The women in my area told me that they wanted a woman to represent them in a special seat. Now, Mr. Deputy Speaker, Sir, this is a question that should not be taken childishly, but one that we should look into. It has been said that the African is not interested in educating his women, and this is true in many cases. It is no good having this House full of people when there is no one to air the views of women, who constitute a great proportion of the people of this country. For example, when you go to a dance where there are only men, that is no good as a dance, because it is incomplete without women. Even the hon. Member who is a Twister will agree with me on this.

Are we taking advantage of the women? I think the time has come when some of the hon. Members on the other side should stand up and speak the truth. Life is incomplete without a wife, and so equally this House is incomplete without women.

Mr. Deputy Speaker, Sir, I would like to make it clear, that I am not, in any way trying to be a Profumo of some sort, but I feel women are human beings and people who contribute a great deal to the shaping of this country, and I challenge any of you to deny that you got no votes from the women. And if hon. Members got any of their votes from women then it is only reasonable that we in this House should support this Motion and ask the Specially Elected Members to stand down for the women so that they can take part in this Government. I am not worried whether they are on this side of the House or on the Government side; I would even prefer them to be on the Government, so that they can air their views.

It is true, Mr. Deputy Speaker, Sir, that if they are on the other side, then we on the Opposition side will have a good look at them. If that is the trouble let us have them on the Opposition side and then the Government can have a look at them too.

This Motion is very simple, that there should be more women represented in the House. In the last Government, Mr. Deputy Speaker, there was a lady, who was a Nominated Member, but when it came to the question of going away with the Nominated Members, it was rather unfortunate that the hon. Members who were in this House, failed to recognize the need for the presence of a lady in this House was essential. This was very unkind and rude of them. Now the time has come when we have got to prove that we really mean to build the nation by getting the women to share with us, in the House and outside, the problems we have to face. Are we only going to build a nation by men taking part in every sphere? The next thing I am going to be told is that men are going back to the kitchen, and that they are out to monopolize everything.

I think that the men must realize that even among our own customs one would never be considered completely grown up or be trusted with any responsibility until one is a married man. Are we sincere in stating that we are building a nation when we are overlooking women's side of things?

I know that it will be distasteful to the Specially Elected Members, but we must face facts, and the facts are that we must have women along with us.

In my opinion the present House is a bull House, we are actually dancing a bull dance where women are not taking part. The people on both sides of the House should be ashamed of themselves.

[Mr. Shikuku]

If it is a question of ability, if it is a question of intelligence, I can assure the House that some women in this country are more intelligent than some of the hon. Members in this House, and some of the Specially Elected Members. I feel in view of this we will be denying our women a chance to play their part in the development of this country by refusing or trying to bar them from becoming Members of this House. We are half-way to independence. The date for independence is the 12th December, and this is a well-known thing. But are we, as we are at the moment, going to be considered as independent when we have no women in this House after struggling together with them? There are women, Mr. Speaker, who also suffered during our struggle; there are women who died during the struggle against the imperialists; there are women who have died through carrying loads, cultivating food, and helping Kenya become what it is today. Are we to forget these women; are we to use these women as a stepping stone to power? Mr. Speaker, I feel that this is a very, very important question and I can see the red light. I wish that I had more time to express my feelings on this point, but I hope, Mr. Speaker, that the Government is not going to ignore this Motion—

The Speaker (Mr. Slade): Mr. Shikuku, a red light is a red light.

Mr. Shikuku: Thank you very much, Mr. Speaker, I hope that the Government will take this whole situation and treat it as very, very serious.

I beg to second the Motion.

(Question proposed)

The Speaker (Mr. Slade): We have actually reached the time which is set aside for what we call "free-lance" Motions, but I have heard from the Movers of both the two subsequent Motions that they are content to wait until this Motion has been concluded. So we can run for the full two hours.

Mr. Ngei: Mr. Speaker, Sir, I feel very privileged to speak about these fair persons who are missing in this House. I would like to say one or two things which I think are of vital importance.

It is universally acknowledged that women have in the past and in the present played a very important role in many national fields and national activities. Mr. Speaker, we must move with the times, but we cannot do so if we are

leaving our dear companions to lag behind us. We must move with them; move in the right direction; and this one of the right directions, that of asking the Specially Elected Members on the Government side to stand down and allow some women to take up their posts. I would like to go a little bit further, especially in this House, Mr. Speaker, and I hope that I am not hurting the Christian feelings of many people when I say that we have here in the House something which is really disturbing. In the prayer we ask Almighty God to give us the just government of men. When it says "men" it means "men" —

The Speaker (Mr. Slade): Mr. Ngei, I do regard myself as your friend, but when you address the Chair you must address me as "Mr. Speaker".

Mr. Ngei: Sorry, Mr. Speaker. Here is one of the selfish motives—although I am not really commenting of this aspect—of the prayer. I think it is a very selfish motive—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. Is the hon. Member right in his interpretation of the prayer? Does "men" in the prayer that you recite at the beginning of the Session mean men as a sex, or men as human beings, including everybody?

The Speaker (Mr. Slade): The hon. Member is entitled to comment on the terms of the Prayer as long as he does so in a pious manner, which he is certainly doing. Its precise meaning is not exactly a point of order. I would like to say, however, that the word "men" in that Prayer is generic and means the same as "mankind".

Mr. Ngei: Well, Mr. Speaker, if that is the case the I think the word should be changed to "mankind". Even in the Bible every preacher is entitled to interpret the teachings of the Bible in his own way. I think that it is very unfair that we refer to a "just government of men" and not to a "just government of mankind" because in the real sense "men" means men.

Man's contention is that he possesses everything, from courage down to many other things. But the women have today challenged us and that is why I say that we must move with the times. If it is a question of courage I would say that none of the Members here have gone into Space; but a woman has been into Space. Therefore, maintaining that "men" only possess courage is not a present contention because it has already been challenged.

Moving on to the question of educational activities, we have been defeated in this field by

[Mr. Ngel]

women. Even though a man has been defeated by a woman he is not ready to accept it as a defeat because of the natural feeling that men are the superior beings. I am referring to this, Mr. Speaker, because I feel that men are not as superior to women as they would like to think today.

We have heard famous orators in this House speaking of dedication to our National Independence, of the liberation of Africa and to many other countries, and I am surprised, and think that I am right in saying, that when some of the women were in prison some of our friends on the Government side were dashing around in luxurious cars, not thinking about these women who were suffering.

These fair ladies were really decaying in prison for the cause of the country, and yet today in the National Assembly they are not present. If men claim that they are more clever than women, I will say that they are not. A man talks a lot about what he has done and where he has been, but a woman would sit quietly and yet know what was going to happen. I know of some of the hon. Members here, Mr. Speaker, who, when they go home hungry, receive good food, but they never think of women when cases of responsibility are being brought in a House such as this.

I do not want to elaborate on many things, Mr. Speaker, but I think that this is a clear case Motion and we have here a Government which seems to be here purely for the sake of opposing whatever Motions which are moved—even a Motion which is trying to bring women on to their side.

Therefore, Mr. Speaker, I would like to support this Motion with my utmost sincerity.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, it is becoming more distressing as we listen to the Opposition bring Motion after Motion whose motive and calculation is so transparent that one does not have to search very far. In the speeches made by the Mover and the Seconder and the speaker who has just sat down, in this debate, the most important question has been left out, either deliberately or out of ignorance; this is the question of how does a Member become elected in this House. In the Elections the principle has been simple—each Party decides which persons they wish to nominate for candidates to this House, either as Constituency Members or as Specially Elected Members. Each Party, therefore, has the initial responsibility to decide whether or not to nominate a woman to stand for election

and it is not a matter for the Government to decide who a Party should nominate. This is so elementary that I thought the hon. Gentlemen opposite would have known it before they came to this House.

The Speaker (Mr. Slade): Mr. Mboya, do you want half an hour?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes, Sir.

If we are now being asked to dictate the list of candidates which each Party may put forward at the next election we may be tempted to do so. But I hope that we are then not accused of wanting to become dictators, because it is that apparently what the Government is being asked in this Motion. Our Party, as the Party in power, is not ashamed of its record in these matters. The recognition that we give to the women in our Party and in the country is there for everyone to see. I am glad that the Party of the Member who spoke last attempted to nominate a woman to stand for election. However, the Mover of the Motion fought, in his own area—in Mombasa—and helped someone to fight hard against the only woman who was standing. He does not even think that they are fit to go to the Regional Assemblies. The Seconder of the Motion is the Secretary of a party which did not attempt to nominate a single woman to stand for election. These are the people who come here with—

Hon. Members: What did your Party do for them?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Our Party nominated the woman who the hon. Member who spoke last, the leader of A.P.P. spent most of six weeks fighting against in the Election. When the hon. gentlemen spoke one would have thought that they were weeping for the women, but if there is any woman to hear this she should know that these are crocodile tears.

Mr. Speaker: I should like to treat this on a more serious basis.

Firstly, I would like to take this opportunity to put on record our Government's recognition and appreciation of the part the women of this country have played in the national struggle; the social development; the economic advancement of this country in all fields. We also, as a Government, recognize fully the potential of all the women of this country and regret that that potential has not been fully developed in the past and exploited for the national good. I would therefore state that this Government will, with all the strength and means it possesses, as a matter

The Minister for Justice and Constitutional Affairs:

of policy do everything it can to help advance the women of this country in taking their rightful place in all walks of life, not just in this National Assembly, but in perhaps more important fields of social and economic development in which our women can play a bigger and better role for the good of this country.

Unlike the Opposition we are not confining ourselves to looking purely and simply at the political side of this question. The Seconder of the Motion said that if we educate a woman we educate a nation. We believe in this statement most strongly and consequently the policy of the Government is going to be to educate, organize and assist the woman so that she plays her part, makes her contribution to the social and economic circles of our country.

Already contribution has been made by women in many fields: in the teaching profession, in the medical profession, in social organization and in some of the self-help schemes in which our people are involved and in some of the more important aspects of social development. I am referring to some of the social services in our urban areas and even in the rural areas adult education, care of the sick, orphans and the children and these various very important aspects of our nation's life and development. Our women have done something in these areas towards the development of our country but a lot more could be done.

Our Minister for Labour and Social Services is going to spend more time and, if necessary, more money to assist the women's organizations and the women themselves in participating in these activities. This Government believes that we must begin to move away from the days when it was the trend of the leadership of the European and Asian women to be in the forefront. African women must now be brought forward to the forefront and exercise leadership in social and economic circles and it is the policy of this Government, as rapidly as it can be done, with the personnel available, to assist the African women to come forward and play their part and play their role of leadership in society.

I wish to express my gratitude to the nation and to the efforts that the women have made towards the building up of this nation in this country. I wish it was a Motion asking the women to be given greater assistance and for that matter greater facilities to enable them to develop more fully and to qualify them, and at the same time to help them, to participate in our great work of building this new nation.

Unfortunately, Sir, the Opposition's ideas of thinking were so narrow in framing this Motion that they were merely thinking in terms of politics and of seeing women on the Opposition and Government benches.

Mr. Speaker: Sir, what can the position of the women be on the Opposition side? Is it genuine this alleged desire to see women on both sides of the House? If the Motion, in fact, was asking the Government to create several special seats especially for women there would have been some reason for the Motion being brought forward.

Is this Motion brought only that the Mover may be able to say that "today I fought for the women"? But what the women must realize is the truth behind this. Moreover they can only say that they tried to get the Government to agree to the Motion, but "by God I was determined to keep my own seat. That, I would never give up under any circumstances".

Mr. Speaker: I think as far as women are concerned the contribution they have made, the contribution they are capable of making in the future lies in the domestic and social field. I think this is the worst way of encouraging their development or encouraging them in their efforts to develop. I would like to suggest to the House that not only should the Government assist the women in their various welfare organizations, but also that the regional authorities, the local authorities, the local governments and the Opposition Members in their different roles should also assist the women outside this House in that development which must now take place. The women are quite capable of taking part in nation building, and not only in the teaching profession or the nursing profession.

In the formulation of our plans in the future, I would call upon the Opposition that, after this debate, they should not stop but should co-operate in assisting us to fulfill the purpose of helping women in the great work of nation building. They should go out into the country with us as well as into every district. In this country, there is the women's organization today which is working very hard to assist the women in the work of development. It is called the *Maendeleo ya Wanawake* and it does a lot of good and is one of the organizations which needs to be encouraged at every level.

Mr. Speaker: Sir, our party, the party in Government, is very conscious of the need to have more women taking part in national affairs, political and otherwise, and for this reason our party has always had a programme of assisting those of our women who are able not only to

[The Minister for Justice and Constitutional Affairs]

undertake studies locally but also to go overseas and study in institutions of various types, either academic institutions or organizational and co-operative institutions in different parts of the world. Today, Mr. Speaker, I can say, without fear of contradiction, that there are women outside Kenya studying in different institutions all of whom have been sent out either by the efforts of the Government or the efforts of the leaders of my party.

The question is, what is the contribution which other people are prepared to make? It is very little, if any at all. The women does not want to be ridiculed, to be made the subject of ridicule, by a Motion such as this. They deserve better, they have earned something much better than this cheap Motion, and we intend to give them the dignity and the whole position of respect that they deserve in this country.

An Hon. Member: When?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, the hon. Member asks "when?" All I can ask him to do in trying to assess the capacity of this Government in its moving forward, is not to wait and see but to look at the last four weeks and to see what we have done in the last four weeks in power. I promise him that a lot more is coming, and it is not a matter of waiting and seeing, we are already moving forward, we intend to act and the women know that very well and will not be deceived by this Motion.

Mr. Speaker, I would have liked to amend this Motion in a manner which would have included a pledge to the women of this country in the areas that I have mentioned, but I hope that when they read the record of the speeches made by the three speakers on the Opposition so far, and what the Government is answering in reply, they will know whether it is in the Government or in the Opposition that their influence truly lies. They will know whether it is the Government that is thinking constructively of their position, their contribution and dignity, or the Opposition. When they analyse what the Opposition has had to say in three of their major opening speeches, and what the Government has had to say, they will find that the Opposition speeches amount to nothing.

Mr. Speaker, Sir, I now wish to amend the Motion in the following way:—

Delete all words after the word "Government" in the third line and substitute the words

"assist our women so that they may in future become Members of the National Assembly."

Mr. Speaker, the hon. Members again display their ignorance. This Assembly is already constituted, the elections for the constituencies have taken place, the elections for the Specially Elected Members have also taken place, and even if you ask them to resign these women could not come in until the future. The word is very simple.

Mr. Speaker, we intend very definitely to make a pledge that it will be our purpose to continue to assist the women in their development and we are confident that this is not as an act of generosity but very definitely as a matter of right and ability. There will be women sitting in this House and they will replace the entire benches of the Opposition.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nysgah) seconded. (Question of the first part of amendment that the words proposed to be left out be left out proposed)

The Speaker (Mr. Slade): As in the last Motion, I do not think the discussion on the amendment can be separated from the main question, and we will discuss them both together.

Mr. Towett: Mr. Speaker, Sir, we have heard a lot of, what I may call, unconvincing words from the General Secretary of Kanu, who is the hon. Minister for Justice. He has talked as usual in his usual language, which is very cleverly put, but which does not mean anything. He is trying to avoid what this Motion has sought to achieve. He has evaded in all his arguments the problem of looking into the position of the Specially Elected Members and asking them to make way for women to join us in this Assembly. He has talked of things outside this Assembly, he has talked of a woman who stood and then lost in the elections. We are not discussing women who stood and lost in the election for the Regional Assemblies and the Lower House seats.

Mr. Speaker, Sir, I think the Minister does not like my words, and so he is running away.

He has attacked those people who did not give those women votes, that is outside the subject of this debate. What we are trying to seek here is, now that the House is as it is we want this Government—who elected the Specially Elected Members—to see whether it is suitable for some of our women, who are very clever, and as it has already been said, they are probably cleverer than some of the Specially Elected Members to come into this House.

[Mr. Towett]

The Minister for Justice—who has just run away because he knew I was going to say more about his speech—has said that the Government gives full recognition and appreciation to the women of this country. That, Sir, is an empty slogan. Full recognition and appreciation is nothing (angible, there is nothing in it. We can go round the world telling all the women that we give them full recognition and appreciation. What happens after that? Nothing! Why should we deceive our women? Are we going to tell them that they are all right where they are and that we appreciate what they do, and we recognize their positions? That is just empty.

The Speaker (Mr. Slade): But it is part of the Motion.

Mr. Towett: I know it is, Sir, but to hear that from the hon. Minister for Justice and the General Secretary of a very powerful party is wrong.

Mr. Speaker, Sir, we all know that Kanu, as a party, has got women all over the country. There are women organizers, there are women chairmen of Kanu committees all over the country, and all these women cannot say a thing about being sent to this House, so they are working outside the House and they are working full time. It is a shame!

Here, Sir, in Parliament Buildings, we have from time to time been visited by good women who would have liked to be inside this House. They were not sponsored by the party which now stands as Government, and who now come here either for a cup of tea or to see the hon. Members coming in and they can only say "Hallo"; they then have to go away. They would, however, like to be here in the House. What a pity!

I can assure the people who interrupt, Sir, that if we were in the majority and we could get more than one Specially Elected Member we would have put at least two women into this House. This Assembly is not an Assembly for men only, it is an Assembly for all the people of this country. I am afraid to say, however, that the Government—Kanu—which is the majority, is very negative in its approach to our women. It does not want to see women here because they think that as they are men they are the only ones who can come here.

An Hon. Member: Why do you not give up your seat?

Mr. Towett: I would give my seat, Sir, to the hon. Member's good lady, if she comes on to my side.

The hon. Minister for Justice, Sir, did say that the Government was doing all it can to encourage women to be educated and to play a full part in life outside this House. That is not what we are contending; we are not saying anything against it, we want our women to be developed educationally and socially outside the House, but that it is not what we are speaking about here today. We want the women to be educated and we want them to develop mentally and socially and to join in the affairs of this country, but, with all respect to the Minister's voluminous speech which had nothing in it, it is not what we want here today. The hon. Minister tried to avoid the reality of what we wanted and he pretended that he was a very true advocate of the women in this country. Yes, the Government should encourage everybody—not only the women—to grow up educationally, socially and otherwise. The Government has got the responsibility of uplifting the country. That is not the privilege of one party only, it is the privilege of the Government as the Government.

With regard to the promises made by the General Secretary of Kanu, who is also the Minister for Justice. We would like to tell the women that there are empty slogans in the Kanu ranks and that the Government and a certain set-up of Kanu chaps do not consider them fit to be in this House. There is only one proof for this, if the women were considered fit—we want at least two of them here—they would have come through with the majority of voters of Members of Kanu who are in this House. We know for certain—taking apart these promises—that Kanu does not want to see any women in this House.

I would like to say, Mr. Speaker, that the amendment to this Motion is getting away from what the Motion was intended to be. No one wants the women to be helped to join us in the future, we are now talking about the present. This amended Motion shows the very negative side of the Kanu party, because the Kanu party has got woman chairmen all over the country—they are very many—and they have used these women to organize things in the party and then after they have used them they have left them helpless in the streets and now they are being promised that they will come to this House in the future. They want them to continue with their services faithfully and to promote the hon. Members who are here. I want all the women to be aware of the actions of Kanu and to beware of empty promises made to them and to learn that promises are not realities. With these few remarks, Sir, I beg to oppose this meaningless amended Motion.

Mr. Jahazi: Thank you, Mr. Speaker, I am one of the Specially Elected Members and I think this is my battle. I have nothing with which to defend myself. The thing is, for a long time the Opposition have been getting a bit comical in their outlook and this is the time when they are really behaving like comics, because in this House you have got a lot of serious things to consider, especially at these serious moments, and yet we carve cheap Motions, they are very cheap. Mr. Speaker, because they are talking as if they are people outside this Chamber—who have been denied an opportunity to show their regards to women. They knew very well that they were few people, yet when we were elected they lined up fourteen candidates and not a single one of these candidates was a woman.

I think when we were elected here. You submitted your own list, you submitted eleven plus three Independents, and not a single one of them was a woman. Who gave you this idea of women here?

The Speaker (Mr. Slade): Mr. Jahazi, remember to address the Chair.

Mr. Jahazi: Mr. Speaker, Sir, the Opposition seems to be picking up this idea from somewhere, because if they were genuine in their thinking at least they would have put up a woman to contest the seats which we are occupying now, but they did not do so. They waited until they were defeated. It was not the next day the Motion was put up, but it was three weeks after, that we knew they wanted women here. They should have elected a woman instead of the hon. Mr. Alexander. Charity begins at home! You tell the hon. Mr. Alexander that he came here by mistake, we do not want you on our side and you should resign so that we can put up a woman, I am sure you will do that. But, whatever pact we have made with our women, it is our pact, they are very contented in Kanu and they are not making any noise about not being here.

Mr. Ngala: On a point of order, is the Member in order not first beginning his speech by declaring an interest in this Motion?

The Speaker (Mr. Slade): The hon. Member did say at the start of his speech "I am one of the Specially Elected Members". He then declared that does not affect his attitude. He is entitled to that.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, Sir, do hon. Members have to declare an interest?

The Speaker (Mr. Slade): It is not written in our Standing Orders, but it is an accepted principle that when hon. Members speak in this House on matters in which they have a personal interest, they should declare that interest.

Mr. Jahazi: Thank you, Mr. Speaker, for the ruling. I don't think that required anything because the Leader of the Opposition is carried away by other things; although he is here in body, his head is somewhere else.

Mr. Ngala: On a point of order, Sir, Mr. Speaker, is the Member in order in imputing that I am here but that my head is away?

The Speaker (Mr. Slade): It is rather rude of the hon. Member, but it is not actually imputing any wrong motive, because he is saying there is no head here to have a motive, and it is not parliamentary I think, to go that far.

Mr. Jahazi: Thank you very much, Mr. Speaker, but I did not mean to be rude, but if his head was here he would have heard me saying that I was a Specially Elected Member, a stooge of the Government, just a stooge of the Government, but what is he, an imperialist stooge?

Thank you, Mr. Speaker, I think this idea of Specially Elected Members is not new to you, you always say that this Government must safeguard the Constitution. The thing is that the leader of the Opposition when he is talking about the Constitution, he knew very well what he was signing when it came to these twelve Specially Elected Members. Therefore, it is nothing new, or does he think that we were brought in here constitutionally, we are here constitutionally, specially elected to represent very special interests, and I think you know what these interests are. If you don't know, we know what we are representing and therefore this does not cause any argument.

Mr. Speaker, Sir, coming back to the subject, the Minister for Constitutional Affairs has serious. We know very well the role the women have played and when we want to help them to come into this Chamber we must prepare them on the lines which the Minister has suggested and I think they are very intelligent lines, other than pointing to the Specially Elected Members, who were elected in this Chamber and whereby even the Opposition did not propose one candidate. To remind us that if we have overlooked the women, we should at least remember by electing their candidate, but they did not do that and now they come here. As the Secretary for Kadu, the hon. Mr. Shikuku said, in his constituency

[Mr. Jahazi] many women voted for him. I don't know what he promised but he said he promised that when he came here he would try and get them a woman Member, well, I am sorry the time has come when he must go back to his women and tell them that he has failed.

The Speaker (Mr. Slade): You cannot speak any longer, when it is the third time you have failed to address the Chair, Mr. Jahazi.

The Minister for Information, Broadcasting and Tourism (Mr. Acheng-Oneko): Mr. Speaker, Sir, references have been made to our party and whether we are really doing something for the women. I must tell the Opposition that Kanu has done quite a big job for the women. It was only last week when Kanu prepared a very strong delegation of women to tour the world, to see and to learn what is happening elsewhere, at the expense of Kanu and our friends, and therefore I want to expel the idea that Kanu is not doing anything and that they are not exploiting the women. We are preparing them for greater and more important responsibilities in the Government.

I wonder how much Kadu and A.P.P. together have done for the women who supported them during the elections. I demand an explanation from the Members of the Opposition as to what they have done for their women, the one who helped them during the campaign, to be in this House. They have been discarded, they have been thrown away, but we on this side are preparing the women. Even now the next group is going overseas to study so that we can prepare them to join us in this House. It is not that we are sending them to the East or the West, we are sending them to see the world outside so that they can come and join us in running our Government.

The Minister for Justice and Constitutional Affairs has just mentioned women and their training. That is the Government's responsibility and it is not only this party's responsibility. These women will come back and serve our country. Kadu and A.P.P. joined together have done practically nothing. I know that in the Rift Valley Kadu tried to put up women candidates and they failed because the women nominated were not fit enough and so I do not know how they will be able to find some who can come and join us in this House today.

Mr. Shikuku: Point of order.

The Speaker (Mr. Slade): Point of order, Mr. Shikuku.

Mr. Shikuku: Mr. Speaker, Sir, the Minister has just told the House that he wonders whether there are any women who are capable of coming to this House. Could he substantiate that there are no women among Kadu who are capable of becoming Members of this House?

The Speaker (Mr. Slade): That is not an allegation that requires substantiation. He was putting a question mark up. Hon. Members can answer it if they feel disposed, but cannot challenge a rhetorical question of that kind.

The Minister for Information, Broadcasting and Tourism (Mr. Acheng-Oneko): I was just coming to the end of my remarks.

Mr. Ngala: Mr. Speaker, Sir, I have very little to say on this Motion because it is so obvious and can so easily be understood except by a Government which is so completely—I do not know what term to use for this Government.

The idea is very simple, we want the Specially Elected Members who have already admitted that they are stooges of the Government to be replaced by capable women.

The Speaker (Mr. Slade): Mr. Ngala, I am sorry to interrupt you, but although the Specially Elected Member did ask for it, by describing himself as a stooge, hon. Members will remember that I do not like that word used in this House, at any rate by hon. Members of others. They can, perhaps, if they like, use it of themselves.

Mr. Ngala: I am sorry, Mr. Speaker, I take your correction. I note that he has described himself thus.

Mr. Speaker, Sir, some Members are suggesting that the Opposition should have put up women candidates in the Special Members' elections, but I would like to make it quite clear that if the Government is really honest to the women of this country, they ought to make it quite clear that the situation here between the Government and the Opposition, makes the chance for any woman to get in as a Member an impossibility. Even if the Opposition, Sir, was so kind as to ask the hon. Member who has been mentioned to stand down, the fact remains that the Government is the only body that can decide whether an opportunity can be created in realistic terms for a woman to enter this House.

Now, the other point that a Member has mentioned is that Kadu has not put up women candidates. I am glad that the Minister for Information, Broadcasting and Tourism has cleared this, and has shown that we have put

[Mr. Ngala]—up some women as candidates. He said that they have been defeated because they are useless or not capable, but the fact that they were defeated is not our fault. Mr. Speaker, Sir, the Government should note that when I was on the other side I made a definite effort to get one or two women in. This was a very good gesture because the women had a chance of participating in running the country by making their contribution in this House. All that we are asking is that the present Government should repeat the wisdom of the former Government.

The amendment is crazy. It says that Government should prepare the women to take part in the Government in the future. Does that imply that this Government seriously believes that in Kenya today there are no women in the country who are capable of taking part in the Government? Surely the Minister who has put up this amendment should know that this is a mere bluff for the benefit of the public. Even countries in the immediate neighbourhood of Kenya have managed to put women in their National Assemblies who are participating very well in the matters of their National Assemblies. In Kenya we are told that the Government should assist their women to participate in the future. When I look at the Back-benchers on the other side, surely there is room for replacement? There is even room for replacement in the Front Bench. But, Sir, the question is not whether Kadu or Kanu should do something, we are asking the Government to do something. The opportunity is now in their hands. The women of the country are looking to them to make available this opportunity and they can do this. I would like the Government to reconsider their amendment very carefully, because we believe very sincerely that at this moment, not in the future, but at this moment, the women of Kenya are capable of representing and participating in the Assembly today. We want the Government to make these replacements now if they really mean business and they are really conscious of the merits of the women of Kenya, instead of making bluffing statements. This is just postponing the whole issue when it could be carried out now.

We hope that the Government will see the wisdom of removing their amendment so they can take action on the very humble and significant Motion.

Mr. De Souza: I am myself a very strong believer in the principles of democratic government, Mr. Speaker. I believe that it is the right of the people who disagree with the policy or decisions of the Government to organize them-

selves into political parties to express a point of view which may differ from that of the Government; to organize support for that policy and to organize alternative leadership. But, Sir, we all appreciate that in Asia and Africa today democratic government in the sense that it is understood in the West has proved a failure. It is true also that there are many people in Africa who believe that parliamentary democracy as that term is understood in the West and in Kenya is a luxury that we cannot afford. We appreciate that in Kenya we spend £352,000 to run our National Assembly. The point is that the responsibility for carrying out parliamentary democracy is as much with the Opposition, if not more, as it is with the Government, and so, Sir, it is in this context that I would like to appeal to the Opposition that when they do bring Motions before this House they bring only those which are constructive, which are responsible and which they themselves appreciate and believe as reasonable and acceptable by the Government.

Sir, with the greatest of respect to the Opposition, I believe that in this particular Motion they are putting forward a Motion which they themselves know is, in fact, ludicrous and laughable. In addition it is aimed at bringing some publicity to themselves in the Press, and nothing else.

Let us examine the Motion very closely. Firstly, it says "That this House acknowledges the full and vital part of women in the life of our country . . ." so far so good, we all accept that, but it goes on "and calls upon the Government to replace some of its own Specially Elected Members with women." Now, Sir, they obviously realize, firstly, that they themselves never believed in this Motion because they never put up a single woman in the country for election; they did not put up a single woman to contest for a Specially Elected Member's seat—

• The Speaker (Mr. Slade): This point has been made too many times.

Mr. De Souza: Mr. Speaker, Sir, the point remains. Without repeating the arguments that have already been made I would point out that they are bringing this Motion, about which they have done nothing to show their belief and respect, merely for the sake of a little publicity. I feel that it is very unfair to bring Motions of such a nature before the House and I ask that in future they think more carefully and be more responsible.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, while supporting the amendment, I would like to make a few remarks on what the

[The Parliamentary Secretary for Agriculture and Animal Husbandry]—who have already spoken have said.

My first point is directed at the hon. Member for Machakos North who knows very well that he should have given way to the candidate he opposed who was a woman.

The Speaker (Mr. Slade): Mr. Osogo, would you please move near a microphone.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I am sorry, Mr. Speaker. The point which I was trying to put across was that—

Mr. Ngel: On a point of order, Mr. Speaker. Is the hon. Member in order in saying that the member who opposed the Member for Machakos North was a woman?

The Speaker (Mr. Slade): Mr. Ngel, this is not a point of order. You must not confuse a question of fact with a point of order.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The hon. Member put up a candidate who contested the seat with the only woman candidate that this party put up. The impression that the hon. Member for Buret put to this Government was that it is only Kanu that could produce women eligible for standing as candidates in the Legislature. I think if we read HUSSARD tomorrow we will see that what the Member for Buret said amounted to that. If we are accused of ignoring women, and we were the only party to have a woman standing for election to this Legislature, while the other parties did not put up women for election to the Legislature, then I think it is wrong for the Opposition to so accuse us. I think that what the Opposition should have done was to have put in the four seats, for which they did not nominate candidates in the Specially Elected Members section, women candidates. They nominated eleven candidates for seven of the possible eleven seats. If one of these four unfortunate candidates who were not voted for by the Opposition could have been a woman, there might have been a woman sitting in the House today. The one vote that their only successful Specially Elected Member in this House received from this side could have gone to their woman candidate, who could have got in with that one extra vote, and perhaps later on, she might have crossed over to this side, as many of the Members from the opposite side have been doing. I think it is clear, that we nominated a woman candidate for the elections, when the Opposition did not do so. We are told here that the Government should ask some of their

Specially Elected Members to give way for a woman and we have been told that it is in the power of the Government to do this. I repeat for the record, Mr. Speaker, that they are telling us now that we have the power to change the Constitution and therefore elect or nominate a woman to this Legislature on our side. If they are prepared to grant us the power, I do not see, Mr. Speaker, why the Government should not use the power they credit us with. The Government has the power now given to it by the Opposition to nominate a woman if they so wish.

I did want to go further without repeating what the hon. Members have already said, but having considered very deeply what the hon. Members have said, I feel I must comment a little. They have asked for the opinion of the hon. Minister for Legal Affairs, and the actual amount—

Mr. Towett: On a point of order, Mr. Speaker, is there a Minister for Legal Affairs?

The Speaker (Mr. Slade): There is not actually a Minister for Legal Affairs, Minister for Justice and Constitutional Affairs is now the title.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I thought, Mr. Speaker, that Legal Affairs and Justice amounted to the same thing, but if it is the correct title I will use "Minister of Justice".

I thought that when the hon. Member for Buret stood up he was going to impress us with his speech and contribute to the debate, but when he sat down, I was left to find out exactly why he stood up, because he did not contribute anything, new to the debate. All he did was to tell the women that Kanu did nothing for them, but if we look at the records we know that Kanu is the only party—apart from the fact that it now forms the Government—which is doing something positive for women.

Mr. Speaker, we hope that in future the women in our Party will share with us in the Legislature.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to move that the question of the first part of the Amendment be now put.

(The question that the first part of the amendment be now put, was put and carried)

(Question of the first part of the amendment that the words to be left out, be left out, put and carried)

(Question of the second part of the amendment that the words to be inserted, be inserted, proposed)

Mr. Somo: Mr. Speaker, Sir, I am very much surprised that the present Government has not arranged for one woman to be in this House.

Mr. Shikuku: That is an example which was being given.

The Speaker (Mr. Slade): Does the hon. Member give way?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, would the hon. Member substantiate?

The Speaker (Mr. Slade): This is a point of order; when a person is asked to substantiate an allegation in accordance with our rules.

Mr. Somo: I will substantiate it, Sir.

Hon. Members: Withdraw, withdraw!

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Can he substantiate that at any time the Leaders of the Opposition nominated even a single lady to this House? I challenge, on a point of order, Mr. Speaker, then to substantiate if the Leader of the Opposition at any time nominated anyone—i.e. a lady—to this House.

Mr. Somo: Mr. Speaker, Sir, the nomination of the Leader of the Opposition when he was the Leader of the Government nominated a lady for election to the House.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The hon. Member is saying to the House that the Leader of the Opposition at one time recommended, or, at one time recommended for nomination, a lady to this House. I challenge that: we want substantiation.

Mr. Somo: Mr. Speaker, Sir, the Leader of the Opposition nominated Mrs. Abwao for the Legislature.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, we have not had the substantiation that Mrs. Abwao was nominated by the Leader of the Opposition, or on the recommendation of the Leader of the Opposition. All that can be brought out is that at one time a Mrs. Abwao was nominated by the Governor at the Governor's pleasure.

The Speaker (Mr. Slade): I think you must allow Mr. Somo, at some other time, to prove the part that the Government played in advising the Governor, and I think we have said enough about it for the moment.

Mr. Somo: Mr. Speaker, to continue my speech on the point I wish to make clear he is no better than me, but I must make clear to all the Members of this House—including the new Elected Members—that there are no women in this House. In a country like Tanganyika, however, as well as Uganda and Ghana, women are playing a major part in the development of the country. I think it would be a good idea if Members of the Government thought about this in order to give our women here in Kenya a chance to develop the country. As the hon. Member said we think it is a good thing to send these women overseas so that they can learn more in those countries and when they come back they can sit down in this House. I would like to ask the Government if they mean that, at present, we do not have a woman who is capable of sitting in this House. In the last Legislative Council there was a woman sitting there. This is a reflection on the Government.

Also. Mr. Speaker, as Mr. Mboya said—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, on a point of order, is it right for me to be referred to as hon. Mboya. I am speaking as the hon. Minister for Justice.

The Speaker (Mr. Slade): Order, order. It is not strictly correct that the hon. Members refer to each other by name at all, even with the prefix of "hon." They are expected when they get to know them better—they cannot be expected to know them today—to address hon. Members by their offices or constituencies and to refer to them in that impersonal way. For the moment, if you make it "hon. Mr.," you are not going very far wrong.

*Mr. Somo: Thank you very much indeed, Mr. Speaker.

As the hon. Minister said, if you educate a woman you educate a nation. If he say that why does he not stand down—or why do his colleagues not stand down—to give their places to women, I would say that we are having a very hard time and I believe that females should share shoulder to shoulder in order to develop our country. When the 12th December comes and we start dancing and kissing and shouting, I think we should have women in this House so that the other women all over Kenya are represented. We could, therefore, have a very quick progress in this country.

The Speaker (Mr. Slade): Order, order. It is only a fraction of a minute from the time when we call on the Mover to reply, if we are going to finish this evening, and I would suggest that someone now moves the closure of the amendment.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I move that the question of the second part of the amendment be now put.

(The question that the second part of the amendment be now put was put and carried)

(Question of the second part of the amendment that the words proposed to be inserted be inserted, put and carried)

(Motion, as amended, proposed)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to move that the Mover be called upon to reply.

(Question put and carried)

Mr. Omar: Mr. Speaker, Sir, there is one point which I would like to make clear, and that is I do not want the Government to think that the purpose of this Motion was to play politics. This is the general feeling of the women in Kenya. We have heard this so that we can bring it to the notice of the Government and it has really surprised me—and I think it will surprise the women themselves—that the Kenya Government, which is a Kagu Government—is trying to keep women in the background.

The Minister for Justice and Constitutional Affairs has tried to give this House the impression that we, in the Opposition, are ignorant of the procedure for the election of Specially Elected Members. I want to deny this very emphatically, because we were in the minority and therefore we could not get a single person elected as a Specially Elected Member. If we were the majority we would have sponsored women candidates as Specially Elected Members and I am sure we would have elected Members who would have had some respect in the House. I think the Government should realize that they made a mistake during the elections of Specially Elected Members by ignoring the fact that there are women whose contribution to the National Assembly is badly needed.

The Minister for Justice and Constitutional Affairs has also said that he, himself in particular, has tried to assist women by giving them

scholarships to go abroad for studies. No one has denied this, and we all know this, but that is no good for the women. What women want in this country is direct representation in the National Assembly. Not scholarships; what is the use of giving them scholarships to go to America, Germany, Russia, China and so on and when they come back they are not allowed to enter the House? They want to make them go back to cooking and cultivating. We want women right now in the National Assembly so that they can contribute towards the development of this country.

The Minister for Justice and Constitutional Affairs knows very well that in Israel there are women Members of Parliament and in fact the Minister for Foreign Affairs is a woman. The Minister knows very well that in Tanganyika they have got women Members, and also in the Central Legislative Assembly there is a woman Member from the Uganda Government. Also, Malaya's Prime Minister is a woman. What is the Government doing here? Why cannot they bring some women here; they should not say that it is too late and they will bring them in the future, we want them now. The Minister should give a definite date when he is going to give this to the women. The future could be as long as two or three years. He has put in this word "future" so that he gives the women confidence that they will get a chance.

Mr. Speaker, I think the women in this country are intelligent enough and they are quite aware of Kanu's tactics so they will not be misled to understand that the Kanu Government really wants them to join the National Assembly. The Minister for Justice has said a lot of things just to please the women. They have got intelligence and they know what is going on and they have told us of this matter so that we can come here to represent their views. I am sure they are not going to be treated like this by the Minister for Justice. Mr. Speaker, the women know very well that the former Government had women Members and these women were—even if they were elected by the Governor—there under the recommendations of the Leader of the Government, who is now the Leader of the Opposition. The Government ought to see that they get Specially Elected women Members in the House.

Mr. Speaker, Sir, although this amendment is going to be passed the Government ought to see that they get Specially Elected women Members before independence is granted to Kenya.

(Question of the Motion, as amended, was put and carried)

Resolved accordingly:—

THAT this House acknowledges the full and vital part of women in the life of our country and calls upon the Government to assist our women so that they may in future become Members of the National Assembly.

The Speaker (Mr. Slade): Hon. Members, before we go on I would like to comment on the debate. It is rather typical of one or two, in which a large part of the arguments have consisted of contentions that Motions or arguments are cheap or insincere or that things are done or said for propaganda or other improper motives. None of this is desirable in a House of this kind and none of it takes us any further. What we are here to do is to hear responsible and reasoned argument and to answer in a responsible manner and to arrive at a reasonable conclusion. I would again appeal to hon. Members to try and keep the debate in that form.

I think it is very nearly the time for the interruption of business, and as it is not worth starting on a new Motion I will call on the Minister to move that the House do now adjourn.

MOTION ON THE ADJOURNMENT

EVICTED LABOURERS IN TRANS NZOIA

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I am very sorry to see that the Minister concerned with this adjournment is absent on a question which arose from his own replies yesterday afternoon. I moved this adjournment because I was most dissatisfied with his replies. I think that this Government should give full respect to the Opposition on a matter of this nature.

Now, Sir, I was not satisfied with the replies of the Minister, yesterday, on a matter of eviction of some labourers and squatters in Kitale. In answering the Minister said, in short, that there is nothing that can be done. The Minister in his reply, which I could quote if I had the time, but I do not have the time, made four points.

The first point he made was that it was a natural consequence to evict these people. The second point was that these people had been replaced by labourers from other places and the farmers in Kitale had to replace them and so there is nothing that can be done. The third point is that nothing can be done for discharged labourers, which is a clear indication that the Ministry is not prepared to do anything for the poor labourers and squatters who have lived in Kitale for in some cases as much as thirty years. They were no other home in Kenya. I am not challenging the right of the landowners there, the farmers and other people, but I am seriously concerned with the situation in which these people, mostly from the Abuluyha, Teso and Kelenjin tribes, find themselves, and the hardship which they are enduring. The fourth point that the Minister mentioned in his reply was that there is a new Constitution which gives settlement to regions.

Now, in all these four points, the Minister, without any doubt, showed complete disinterest in the affairs of these people.

I should like the Minister to put himself in the place of these people who are told to leave and then are faced with a Government that says it can do nothing to help them. All that can be done is to dump them at a railway station or in the police station. The question was from the Government side, by a Member of the Government, the hon. Oloitiptip, and now a Minister of this Government says that there is nothing he can do to help.

I would like whoever answers on behalf of the Minister, to tell us exactly what is going to be done. I should like to have been answered by the Minister himself, but unfortunately he is not here.

A week ago some of these people were dumped at the railway station at Kitale, and a woman had to give birth there. Think of the hardship that this woman had to undergo among many other people who were left at the railway station. They had a sense of a Government that would not help them, a Government which had completely brushed aside their interests. After the reply that the Minister gave yesterday, Sir, I felt that the Minister was completely shirking his responsibility, and he was avoiding a very serious situation.

In some cases we find that these transit camps being created by people who are brought over to the Central Region for settlement. Several camps have been prepared, mainly for Kikuyu, who

(The Debate continues)

(Mr. Ngala)

were brought over to the Central Region. Can the Government give us any explanation why transit camps cannot be arranged for these people from Abuluyha, the Teso and the Kalenjin, to enable them to enjoy the same rights as those people who have been brought down to the Central Region for settlement? I would have thought that it would be much easier for the Minister to take a realistic view of this difficulty and tell us exactly what he intends to do.

It does not help the situation for the Minister or his Parliamentary Secretary to stand up and say that the whole question of settlement is the responsibility of the regions. We have here a Government with a Minister for Settlement and he has an overwhelming responsibility, covering the whole country and he should look after these cases. If he wants to delegate his powers to the regions the regions will need money to deal with these emergency situations in the country. Indeed, this problem in Kitale is an emergency situation, and the Minister knows quite well that this sort of situation should be handled centrally, and so I hope no one from the Government side will stand up and tell me that this is the responsibility of the regions.

The people who have been evicted should have been settled in transit camps just as the other people have been.

Another question, Sir, a little while ago I was told that priority would be given to any settlers or any squatters who had lived in one place for a period of not less than four years. I am surprised to see that all that the Government can do is to take these Africans and dump them in police stations and railway stations. Why are they not giving this priority now to people who have lived there for thirty years?

The Minister says that this happens for two reasons. He said, and I quote: "First farms were changing hands in the Kitale areas as a result of the sale of farms elsewhere for settlement and sometimes the incoming farmer brought his employees with him and was unable to employ the outgoing farmer's labourers."

We are not dealing with the rights of the farmers who are living there. The question is not whether they should or should not be employed; it is what the Government doing to look after the welfare of those people who have been evicted, and who will be evicted in the future, until settlement can be found for them? This is an emergency case and we regard it as a matter for which the Minister is entirely responsible, and

the Minister should be here in the House to answer this question.

The second reason that the Minister gave, and I quote: "Secondly, as a result of the general economic position the farmers were only receiving half their normal planting advance."

Now, we are not interested in what the farmers are planting in this particular issue. We are interested in the welfare of the people who are being evicted, who are people of this country. They have nowhere else to go. They have lived in Kitale for thirty years or more; this is their home, and yet they are just kicked out of this part of the country and nobody is looking after their interests. Even women have to deliver in railway stations and there is nobody there to care for them.

This is a very serious situation. I take it that most of these people are labourers, but even if they are labourers they need to be looked after, and their being labourers is no reason why the Government should not care for them. The Minister for Lands and Settlement, the Minister for Labour and Social Services, and the Government as a whole has a responsibility towards these people who are suffering hardship.

I do not want to be given the usual answers such as we were given yesterday that this is a matter of exclusive responsibility for the regions. I think that this House cannot accept this answer because this is a matter which concerns emergency and hardship for these evicted people. I personally, would not accept the statement that the regional governments are solely responsible for the selection of those who they think should be settled. This is not the point of the Motion. The point is—no selection for settlement, because that can come later—dealing with desperate people who have nowhere to live. I want to know whether the Government can create transit camps for them or put them up and find them temporarily until they get employment or are settled somewhere.

Mr. Speaker, Sir, I think, I have said enough for the Government to be in a position to give me a real reply on what the Ministry is trying to do to settle this question, that then temporarily until they get employment or are settled somewhere.

Mr. Speaker, Sir, I think, I have said enough for the Government to be in a position to give me a real reply on what the Ministry is trying to do to settle this question, that then temporarily until they get employment or are settled somewhere.

We are not satisfied with the answer which I am not satisfied with, that because of the farmers having to exchange farms the labourers must also be replaced and therefore nothing could be done. We are not satisfied with answers stating that this is a natural consequence of the farmers leaving their farms and resettlement. We cannot accept this; natural

[Mr. Ngala] consequences are there for the Government to face as natural consequences and so put right. We cannot be satisfied with the statement that this discharge of labour was inevitable and could not be helped. We are not talking about discharge, we want the Government to look after the people who have been discharged and see that they have somewhere to lay their heads, somewhere to live. The Minister, Parliamentary Secretary, and the Government as a whole have never faced this situation and so probably they do not feel the pinch of the shoe. We want to know what the Government is doing to solve the problem.

When I put up a supplementary question, Sir, I was not fully satisfied. I am sure that the questioner, who is a member of the Government side, was not satisfied and hope that he will get up and support me this afternoon. This is not a question concerning a party such as Kudu or Kanu, this is a question affecting the people of Kitala very, very seriously. Whether these labourers belong to Kanu or Kudu is not the question; the question is whether the Government can supply them with food or camps, temporary living places, and look after them until they can be resettled. It is no use throwing this problem to the regions. During the afternoon you have said that the regions are not governments: when, however, it suits you you put the whole responsibility on to the regions; when it suits you, you shirk the responsibility.

Mr. Speaker, Sir, we want some explanation from the Government and I regret and protest very strongly that the Minister has not shown respect for the Opposition by being here.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, the Government accepts a collective responsibility in these matters and I have been deputed to answer the Leader of the Opposition. I would like to say at once that I do not feel his memory is completely correct as to what took place yesterday. My Minister did not say that nothing could be done for these discharged labourers; in fact, on the contrary, he was doing all that he could. Nor did he say that settlement was a matter for the regions. What he said was that the selection of settlers was a matter for the region.

Mr. Speaker, Sir, the question involves two points. One is the laying-off of the labour and the second is the responsibility of the Ministry of which I am Parliamentary Secretary, for those who are displaced.

On the question of the laying-off of labour, I want to ask the Opposition whether they are satisfied that there has never been in the region to which we refer any political pressures against non-indigenous tribes?

An Hon. Member: That is irrelevant.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, there is no irrelevancy in this. We are dealing with people who are discharged by farmers, and I want to ensure that there has never been, nor will be in the future, any political pressure against those farmers to discharge non-indigenous tribes. I want to ask for the help of the Opposition to ensure that such political pressure is not brought to bear in this area.

I wish to refer to certain economic conditions which have made the removal of the labour necessary.

An Hon. Member: This is irrelevant.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): It is not irrelevant because it is a cause of what is happening. There has been a contracting in the agricultural economy as everyone knows; Pyrethrum quotas have been cut down; coffee is becoming difficult; a Kenya Co-operative Creameries factory at Solik has had to be closed. I would ask the Opposition to bear with me to the extent of believing that this very often makes it difficult for a farmer and I do not wish this House to get the impression that all farmers are hard-hearted exploiters who will get rid of their labour just like that because this, Mr. Speaker, Sir, it is just not true. I know of many cases, and I beg leave to believe that many Members of the Opposition also know of cases, where farmers, knowing the difficulty of the employment situation, have deliberately held on to their labour which they could not really afford to keep.

Mr. Ngala: The question of settlement?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I am coming on to that.

The Speaker (Mr. Slade): Mr. Marrian, you must come to it now. It is quite clear that Mr. Ngala is pressing on the issue of what to do with those who are discharged.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I referred once to the Ministry's function as regards

[The Parliamentary Secretary for Lands and Settlement]

those who are displaced. I wish to tell the House at once that the Ministry cannot, of itself, solve the unemployment and landless problem. The full statistics of what can and cannot be done are not yet to hand, but as an estimator, I believe that when one buys farms which are in reasonable state of development—that is, the average farm in the country—the net gain which can be achieved is approximately 25 per cent. This means that if there are 100 people on the farm, already working on it, then we may be able to settle 125. I hope that people will realize that there is a difficulty in this and that the solution to the unemployment and landless problem cannot rest alone with settlement.

Secondly I wish to make the point that the discharged labour cannot themselves automatically have priority for settlement. There are many people waiting who have been waiting for a long time, we will do our best but there cannot be an automatic priority in this regard.

Thirdly, and the point has been made by my Minister, that the priority for settlement rests with the regional authorities. I would again ask the Opposition here if it is prepared to give such priority in their regions irrespective of tribe. Because, if they are not so prepared they are offending against one of their most cherished institutions which is the Bill of Rights. The Ministry has an obligation to provide land for settlement, either after purchase by itself in the past or by the Central Land Board in the future, and I would point out to the House that the settlement that is going on in this country is unprecedented in its scope, certainly in terms of any such schemes in Africa and probably in the context of any such scheme anywhere in the world. We are hoping shortly, in the coming financial year, to be settling families at the rate of 1,000 a month. Mr. Speaker, Sir, 1,000 families a month means thirty-three families—

Mr. Ngala: On a point of order, Mr. Speaker, Sir, I would like to seek your guidance on this. When an hon. Member is completely answering on relevance all the time without answering my question as to temporary welfare—not settlement as a long-term basis—I would like to seek a guarantee.

The Speaker (Mr. Slade): For these matters which are raised on the adjournment, we only have half an hour, and therefore it is very important to stick strictly to the point raised. As I have said, although the original question on which it

was raised was very wide, it is very clear that Mr. Ngala is pressing a particular case for provision to be made for discharged labour and I think we should stick as close to that as we can.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I do not admit to the point on which I was called up. The rate of settlement of 1,000 families a month cannot possibly be irrelevant to what the Mover of the Motion is attempting to put forward.

The Speaker (Mr. Slade): I think you are right.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): We are concerned in this are with two regions, the Western Region and the Rift Valley Region. The number for acres provided, by my Ministry, for settlement in these regions was 1961/62 67,000 acres, 1962/63 88,000 acres and 1963/64—already published—97,000 acres. They are concerned with Chérenqan, Lugari, Ndalat, Elgeyo border, Lessos, Ainabokoi, Chepsir, Solik and Sabatia. The Central Land Board itself will also be concerned with buying and increasing these acreages. All these settlement schemes are available to the unfortunate people who are being debated in this House today. I submit, Mr. Speaker, that this is significantly relevant to this problem because these settlement schemes are designed to take just the type of person to whom the Leader of the Opposition has referred.

He has made reference to the transit settlement schemes. He should know, Mr. Speaker, that the transit settlement schemes have never been a matter for the Ministry of Settlement, it was in the past a matter for the Administration and under the present Constitution it is clearly a matter for the regional authorities.

The Leader of the Opposition talked about the four-year rule and why were people who had been 30 years allowed to go. Mr. Speaker, Sir, it is perfectly clear that the four-year rule applies to a farm that is bought for settlement and which is then settled with the people who were on that farm for four years. It has nothing to do with laying off of labour from farms.

I have made it clear, Mr. Speaker, Sir, that the Ministry has done everything it can in the settlement schemes that I have listed here to provide the outlet for these unfortunate people. Their priority and selection is a matter for the regional authority. The transit settlement schemes are matters for the regional authorities.

[The Parliamentary Secretary for Lands and Settlement]

There is one final point, Mr. Speaker, that I would like to make and it is this: the Minister's activities are confined to the Scheduled Areas but there are vast areas that are suitable for settlement in the Rift Valley Region. I am asking the Opposition to give very urgent consideration to the use of such areas for the settlement—by the regional authorities—outside the Scheduled Areas of the unfortunate people who have been the subject of the debate today.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, the Leader of the Opposition as usual in a very emotional speech has pointed out a very important problem. The Government does not deny that where there is human suffering it is the responsibility of all of us, not just the Government, to take into account this suffering and see what—if anything—can be done. What the Government cannot accept, Sir, is the attempt at generalization that we have now learnt to expect from the Leader of the Opposition.

It is true, Mr. Speaker, that perhaps a woman gave birth at a railway station, but has the hon. Member stopped to think how many other women throughout Kenya have given birth in worse circumstances? It is not a question of trying to exploit the misery and suffering of this one unfortunate woman and lay the entire responsibility at the doors of the Government. We would like to feel that in the circumstances, where workers are discharged from any employment, whether it

is in Kitale or some other place, as quickly as possible they are given some alternative means of subsistence and a place to live in. The Government does not take casually the plight of workers who are dismissed or laid off from any part of Kenya. The Government is conscious that one of our most urgent problems is that of unemployment and this is not going to be ended by the Leader of the Opposition lounging on his front bench seat and telling us that we do nothing. This House well knows—and this country knows too—this Government has been in office for only one month and in that period it has done more than anybody to bring about the stability that is necessary to create more economic growth and therefore more employment.

Mr. Speaker, I can assure the unemployed of this country that the negative attitude on this front bench is not going to create employment. What is going to create employment is the stability that this country needs for economic growth, and that is going to be given by this Government despite the Opposition.

Thank you, Mr. Speaker.

ADJOURNMENT

The Speaker (Mr. Slade): That concludes the business on the Order Paper, the House is now adjourned until tomorrow, Friday, 5th July, 1963, at 9.00 a.m.

The House rose at Seven o'clock.

Friday, 5th July, 1963

The House met at nine o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS**COMMUNICATION FROM THE CHAIR****DECLARATION OF INTEREST**

The Speaker (Mr. Slade): Hon. Members, I regret the necessity of making a brief Communication, to correct a statement I made yesterday on a point of order. Mr. Mboya asked whether hon. Members were required to declare any personal interest they might have before speaking. I replied that there was no express Standing Order on the subject, but it had always been the practice of our Parliaments. I was, in fact, mistaken. There is an express Standing Order, which is Standing Order 65, which I think I should now read to you. Standing Order 65 says: "A Member who wishes to speak on any matter in which he has a personal interest, shall first declare that interest."

NOTICE OF MOTION**IRRIGATION FROM RIVER ATHI**

Mr. Mallada: Mr. Speaker, Sir, I wish to give notice of the following Motion:—

THAT this House being aware of the acute state of constant droughts in the Machakos District urges the Government to explore with the aim of implementing the possibilities of irrigating the river Athi to more especially those locations of the district which border the Athi River.

MOTION**LIMITATION OF DEBATE: ANNUAL ESTIMATES**

The Minister for Home Affairs (Mr. Odings): Mr. Speaker, Sir, on behalf of the Minister of State, Prime Minister's Office, I beg to move the following Motion:—

THAT the following limitation shall be applied to the business of the Annual Estimates:—

- (1) On the Motion that Mr. Speaker do now leave the Chair to enable Ministers to initiate debate on policy. All speakers, other than the Mover, in moving and in replying be limited to thirty minutes.
- (2) In Committee of Supply all speeches shall be limited to thirty minutes.

Mr. Speaker, I think this Motion is a simple one and it is formal and as such I beg to move.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

The Speaker (Mr. Slade): I should say to hon. Members that this is a kind of Motion that can be moved without previous notice.

—(Question proposed)

(The question was put and carried)

BILLS**FIRST READINGS****THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) BILL**

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE EXCHANGE CONTROL (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE INSURANCE COMPANIES (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE REGISTERED LAND BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE BORSAL INSTITUTION BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE ESSENTIAL SERVICES BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE NATIONAL LOANS (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)
(The Speaker (Mr. Slade) left the Chair)

IN THE COMMITTEE

(The Chairman (Mr. De Souza) took the Chair)

THE FINANCE BILL

(Clauses 2, 3, 4, 5, 6, 7 and 8 agreed to)
(Schedule agreed to)
(Title agreed to)
(Clause 1 agreed to)

THE BETTING TAX BILL

(Clauses 2, 3, 4, 5, 6 and 7 agreed to)
(Title agreed to)
(Clause 1 agreed to)

THE ESTATE DUTY BILL

(Clauses 2 and 3 agreed to)

Clause 4

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, Sir, I beg to move an amendment to clause 4, that clause 4 be amended by inserting after the word "decision", which appears in line five thereof, the word "statement".

I beg to move.

(Question of the amendment proposed)
(The question that the word to be inserted, be inserted was put and carried)

(Clause 4, as amended, agreed to)

(Clauses 5, 6, 7, 8, 9 and 10 agreed to)

(Clauses 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 agreed to)

(Clauses 21, 22, 23, 24, 25, 26, 27 and 28 agreed to)

(Clauses 29, 30, 31, 32 and 33 agreed to)
(Clauses 34, 35, 36, 37, 38, 39 and 40 agreed to)

(Clause 41, 42, 43, 44, 45, 46 and 47 agreed to)

(Clauses 48, 49, 50, 51 and 52 agreed to)

(Clauses 53, 54, 55, 56, 57 and 58 agreed to)

(First Schedule agreed to)

(Second Schedule agreed to)

(Title agreed to)

(Clause 1 agreed to)

THE KENYA CULTURAL CENTRE (AMENDMENT) BILL

(Clauses 2, 3, 4, 5 and 6 agreed to)
(Title agreed to)
(Clause 1 agreed to)

THE ISAAC OKWIRRY PENSION BILL

(Clauses 2, 3 and 4 agreed to)
(Title agreed to)
(Clause 1 agreed to)

THE PENSIONS (AMENDMENT) BILL

(Clauses 2, 3 and 4 agreed to)
(Title agreed to)
(Clause 1 agreed to)

THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL

(Clauses 2 and 3 agreed to)
(Title agreed to)
(Clause 1 agreed to)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, Sir, I beg to move that the Committee doth report to the House its consideration of the following Bills:—

THE FINANCE BILL

THE BETTING TAX BILL

THE ISAAC OKWIRRY PENSION BILL

THE KENYA CULTURAL CENTRE (AMENDMENT) BILL

THE PENSIONS (AMENDMENT) BILL

THE CUSTOMS TARIFF (AMENDMENT) (No. 2) BILL

and its approval of the same without amendment.

Mr. Chairman, Sir, I beg also to move that the Committee doth report to the House its consideration of:—

THE ESTATE DUTY BILL

with amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

(The Speaker (Mr. Slade) in the Chair)

REPORTS AND THIRD READINGS

THE FINANCE BILL

(Question proposed)
(The question was put and carried)
(The Bill was accordingly read the Third Time and passed)

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I move that this House doth agree with the Committee in the said Report.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Finance Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE BETTING TAX BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of the whole House has considered the Betting Tax Bill and has approved the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Betting Tax Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

THE KENYA CULTURAL CENTRE (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of the whole House has considered the Kenya Cultural Centre (Amendment) Bill and has approved the same without amendment.

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I move that the House doth agree with the Committee in the said Report.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I beg to move that the Kenya Cultural Centre (Amendment) Bill be now read a Third Time.

The Minister for Home Affairs (Mr. Odings) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE ISAAC OKWIRRY PENSION BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of the whole House has considered the Isaac Okwirry Pension Bill and has approved the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Minister for Commerce and Industry (Dr. Kiavo) seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Isaac Okwirry Pension Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE PENSIONS (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of the whole House has considered the Pensions (Amendment) Bill and has approved the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Pensions (Amendment) Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE CUSTOMS TARIFF (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of the whole House has considered the Customs Tariff (Amendment) Bill and has approved the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Customs Tariff (Amendment) Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiako) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE ESTATE DUTY BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that a Committee of the whole House has approved the same with amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir,—

The Speaker (Mr. Slade): Consideration of the Report tomorrow if there has been an amendment.

(Consideration of Report ordered for tomorrow)

COMMITTEE OF SUPPLY

(Order for Committee read)

* VOTE 14—LANDS AND SETTLEMENT

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

The Speaker (Mr. Slade): Before starting this Motion—and I understand that there is to be a Motion that Mr. Speaker do now leave the Chair—I should point out that on the last Supply Day we were still in a general debate on the Vote of the Ministry of Information and Tourism, but I understand that the Minister is not available to continue that debate today, and so it has been agreed by the Sessional Committee that it should stand over until Tuesday. In the meantime, we shall embark on the next Vote: "Lands and Settlement.

The Minister for Lands and Settlement (Mr. Angine): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

Vote 14 covers the running of the Ministry headquarters and of the Departments of Lands, Surveys and Town Planning. It covers the running of the three major irrigation schemes which are now the responsibility of my hon. colleague, the Minister for Agriculture, and which are fully reimbursed from Development Funds. It includes only the staff costs of the Department of Settlement and the cost is reimbursed by the Settlement Fund Trustees. The Ministry is also taking over the Land Consolidation programme previously run by the old Ministry of State for Constitutional Affairs and Administration.

In presenting these Estimates, I want to explain briefly what the Ministry is doing and, in connexion with settlement, the effects of the Constitution on my own responsibilities.

With the transfer of land to the regions, the Lands Department will act mainly as an agent for the regions, and will maintain centrally a land register on their behalf, since it would be unreasonably expensive to break up the Register. The Commissioner of Lands will, therefore, act mainly on the instructions of the regions. I shall shortly be presenting to Parliament a new Registered Land Bill which will consolidate the existing law relating to registration of land and to transfers of land. The work of the Department is likely to be particularly heavy during the coming year as it adjusts itself to its new role.

Similarly the Department of Town Planning will largely be acting on behalf of the regions, and I shall shortly be promulgating new Town Planning Regulations to give effect to this.

The Land Consolidation Programme has been taken over by the Ministry and is being run by a senior African official. This programme will be pushed ahead as far as our resources allow and as far as the people in the different areas agree. The potentiality of the programme for development is immense as it forms the basis, through the issue of titles, for the improvement of farming and the issue of loans to farmers. You have only to look at the development that has taken place in areas already consolidated and compare it with what these areas were like ten years ago.

The Survey of Kenya is a Department on which much of our development programme depends. Its major effort now is concentrated on maps for land consolidation and registration of titles, maps for land settlement and special maps for the United Nations irrigation survey of the Tana River, a project which holds out great hope for

our people in the opening up for agriculture of unused lands. Never has the Department been working under such concentrated pressure as at present, and I am delighted that it has been honoured, in the person of the Director of Surveys, who has been chosen as President of the United Nations Cartographic Conference for Africa, now being held in Nairobi.

The provision for irrigation Schemes, which are no longer my business, is for the running of the three major schemes only. One is at Mwea-Tebere, a highly successful rice-growing scheme, which under its able manager is producing among the highest rice yields in the world and making a large contribution to the saving of imports; this scheme we are planning to expand with generous help from the Freedom From Hunger campaign. Secondly, at Berken, there is a small scheme which was expanded rapidly last year and will this year be brought up to its full potential; it makes a considerable contribution to the wealth of a poor area; after some years of doubt the technical problems seem now to be overcome and this is the reason for its recent expansion. There again, I would like to pay tribute to the manager, who has turned a very doubtful scheme into one promising success, by his hard work and enthusiasm.

The third one is at Galole, which is serving as a pilot experimental scheme for the Tana Irrigation Survey, and is on too small an acreage to be a paying concern.

I have referred to these schemes because they are included in Vote 14. I shall not mention the development side of irrigation since this, as well as these schemes, is the responsibility of the Minister for Agriculture.

I now turn to Settlement. First I want to explain the new Constitutional arrangements for settlement and the extent and limitations of my own responsibilities.

Land Settlement outside the Scheduled Areas is the responsibility of the regions under Schedule 4 of the Constitution. I hope that the regions will recognize their responsibilities in opening up unused land, where this exists, for resettlement of overcrowded people.

Land Settlement in the Scheduled Areas is the responsibility of the Central Government, but the programme for the purchase of farms is the responsibility of the Central Land Board, whose Chairman, Sir Richard Turnbull, will be arriving this month. This Board consists of one member representing each region and one representing the Government, together with a representative of the sellers of farms. It is intended that it shall draw

[The Minister for Lands and Settlement] up an annual programme of land purchase in consultation with the regions and the Government, to ensure that the needs of the different tribes are fairly met. Its first task will be the 1964/65 programme, since the 1963/64 programme has already been agreed by the Government with the British Government, which supplies the money. The programme for the Central Region for 1964/65 has also been agreed and this will complete land purchase during the present five-year programme in this region. The selection of settlers for schemes is the prerogative of the regions. This is designed to ensure that settlers will be acceptable to regions. I am having discussions with the regions about the principles governing the selection—

Mr. Ngala: On a point of order, is the Minister entitled to read his notes like he is doing?

The Speaker (Mr. Slade): There is a Standing Order which prohibits the reading of speeches, but it is the established practice of the House of Commons—whose procedure we are also asked to observe—to allow a great latitude to Ministers in opening debates. Even so, Ministers are not expected to read the whole of their speeches in the ordinary way; but only at this time, when Ministers are very newly in office and obviously have to be briefed, I think one must allow even further latitude. If it is only now that I shall allow Ministers to read their speeches so completely as Mr. Angaine is doing today.

The Minister for Lands and Settlement (Mr. Angaine): Thank you, Mr. Speaker.

I am also discussing the means whereby the regions can get together so that those in other regions who want holdings in the regions of their own tribe can be considered. I look forward to the time when people can settle anywhere regardless of tribe.

The carrying out of settlement schemes has been entrusted to the Settlement Fund Trustees who are the Minister for Finance, the Minister for Agriculture and myself, and is done by a Department of Settlement in my Ministry, which has been built up over the last year into a keen, energetic and efficient organization.

My Ministry is not responsible for settlement in Tanganyika, interim settlements or emergency settlement schemes.

The object of settlement schemes is to ensure a transfer of ownership of farms in the Scheduled Areas from European to African ownership, in an orderly way and in as short a time as possible, without endangering the economy. We hope that the schemes will make a large contribution to

increased production, although this will not be so when highly developed farms are bought. In addition the schemes will make a real contribution to the programme of unemployment and landlessness, although they are not a solution to these problems. On most schemes settlers employ labour besides their own families, so that the contribution of the schemes is greater than the actual number of settlers.

There are two kinds of schemes. (a) Those financed by Britain, the World Bank and the Commonwealth Development Corporation, which are economic developmental schemes on which the settlers must have agricultural experience and contribute capital of their own. These schemes are running at the rate of about 30,000 acres per year. (b) Those financed by Britain and Germany the one million-acre scheme which is to last—

Mr. Ngeli on a point of order, with due respect to your ruling, Mr. Speaker, Sir, I wonder if the Minister for Lands and Settlement is reading figures that he cannot really memorize in his head, or if he is being involved in technical language and scientific language. I think that would be something but if we are going to have him reading as if he is having a reading lesson in a class it is not at all good.

The Speaker (Mr. Slade): Mr. Ngeli, I have given my ruling on this, and it stands. In the ordinary way, as I say, Ministers are only justified in reading their speeches to so far as they do embody figures and rather difficult technical questions. It is extremely dull for the House to have to listen to a speech that is read, and there is the danger that Members may read speeches that have been written entirely for them by others. But, as I say, Ministers newly in office need a great deal of help from others, and at this stage I think we must allow it, however dull it is.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): On a point of order, Mr. Speaker, is it not in order for the Minister not to read his whole speech?

The Speaker (Mr. Slade): Mr. Kodhak, I have made my ruling and we do not want any more on this.

An Hon. Member: Mr. Speaker, I was wondering whether anything can be done in the Standing Orders to protect the Ministers from interruptions by Members from the Opposition. Ministers are making important statements and I think they ought to be given time to finish making these policy statements and then the Members can speak afterwards.

The Speaker (Mr. Slade): There are no provisions in Standing Orders for any interruption whatsoever of any hon. Member speaking, but it is the usual procedure of Parliament to allow interruptions to a reasonable extent. They certainly add spice to the debate and stimulate the speaker. I have known many hon. Members who spoke all the better for the occasional irritation from the other side. Ministers have no special privilege over other Members in that respect. Any hon. Member is liable to face occasional interruptions, as I say, most hon. Members—whether Ministers or otherwise—should welcome them; but if they get too much I will put an end to them, whoever may be speaking.

Mr. Ngala: On a point of order, Mr. Speaker, would the Opposition be in order to throw eggs at a dull Minister like the one speaking at the moment?

An Hon. Member: On a point of order, would that not amount to an insult to the Minister?

The Speaker (Mr. Slade): Will you continue, Mr. Angaine, we're having too many frivolous points of order.

The Minister for Lands and Settlement (Mr. Angaine): (b) Those financed by Britain and Germany, the "million-acre" scheme, which is to last for five years, with a promise of extension for a further five years and a further million acres, if needed. These are for the persons with less experience and money, and generally on smaller holdings, although I hope to be able to raise the standards of these schemes as time goes on. These should also be productive, but much will depend on the energy of the settlers.

In general, plantations are not bought because we have not got enough money, and ranches are not bought because settlers would have great difficulty in making a living from them and we should settle very few people on them.

The total acreage over the five years is 1,150,000, of which about 190,000 were bought in 1961/62—including large areas in Machakos which take few settlers—about 320,000 in 1962/63, and we plan to buy 312,000 acres this year. We are well ahead. The rate of settlers has grown rapidly, too, from 450 in 1961/62 to over 5,000 in 1962/63. This year we hope to reach 12,000 families, or 1,000 a month. This tremendous task will strain all our resources to the utmost, including those of the departments that help us—Agriculture, Veterinary, Hydraulics. Co-operatives—do not mention our own Lands, Surveys and Town Planning Departments.

The Settlement Fund Trustees are operating more like a business concern than a Government department. The money is borrowed to buy the land and must be recovered from settlers so that it can be repaid. There can be no free land. The British Government, which supplied the money, does provide one-third of the land purchase money by grant and this grant money is used to meet the cost of buildings which are of no use to settlers, of roads of access, of villages and communal centres. There will be a village for every 10,000 acres, with provision of communal facilities, trading plots and residential plots. These villages will provide seasonal labour for settlers, have small allotments available for villagers and we are planning to develop village industries.

The responsibility for providing health and educational facilities, maintaining roads, etc., will, I am afraid, fall on the local authorities concerned and, I would at this point like to express the hope that they will accept this responsibility to ensure, at least, that settlers on the schemes have facilities of a standard of not less than those supplied to other persons in the local authority area.

The whole of the administrative and technical costs of settlement, including the layout of the holdings and their soil conservation, is provided by the British Government (by grant).

The loans that are made to settlers and co-operatives are borrowed, either from the World Bank and the Commonwealth Development Corporation or from Britain and Germany.

We shall be experimenting during the present year with co-operative farming as we did last year, but generally speaking the demand of the people is for individual ownership of land. Co-operatives are, however, possible where there is only a simple crop being grown.

Circumstances have changed a great deal in the three years since the World Bank/C.D.C. Scheme was first planned. Our markets for coffee and pyrethrum are now limited and we have had to turn to other crops and a more mixed pattern of farming. The constitutional position has changed. We have, therefore, to renegotiate our loan agreements with the World Bank and the C.D.C., if they will agree, to meet the changing circumstances. My Ministry is busy on this now. Both these institutions will seek assurances about the administrative and technical organization to supervise schemes, so that they can be satisfied both with the equality of our staff and our intention to ensure the success of the schemes. These I hope we shall be able to give to their satisfaction and that the many officers, who have worked so hard and enthusiastically during the past year,

[The Minister for Lands and Settlement] will feel able to stay with us and see this land revolution through to its conclusion.

Settlement still faces enormous difficulties and we are learning by experience daily as we face new problems. Nor will the situation remain static in the future. To deal with these problems we shall need the help of those whose experience is already great and who know our country.

Finally, Mr. Speaker, I wish, with your permission—

Mr. ole Tlapi: On a point of order, Mr. Speaker, is it in order for a Minister to read his speech from beginning to end?

The Speaker (Mr. Slade): If you had been here a little earlier you would have heard me answer that point of order.

The Minister for Lands and Settlement (Mr. Angaine): Finally, Mr. Speaker, I wish, with your permission, to concede the right to reply to my Parliamentary Secretary.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I must congratulate the Minister for reading his speech so very closely, word for word. In the speech there was hardly anything I think worth replying to, but I would like to ask the Minister a few questions.

First, I would like to ask the Minister where he expects the regions to get money for land settlement development since, according to paragraph 4 of the Constitution, as referred to by him, it is the responsibility of the regions to carry out settlement. Again, according to the Constitution, it is the responsibility of the Minister to find the money for the regions, to enable the regions actually to carry out the settlement.

Sir, land settlement properly financed can be used as one of the ways of raising the economic standards of our people in Kenya, and we foresee the need for giving this responsibility of finding the money to the Central Government and at this particular Ministry, so that the regions at large could be helped. The land is there. There is Crown land which has reverted to the regions or private land which needs to be purchased or communal land which can also be developed if the money is available from the Ministry

I would like to know very specifically, Sir, what arrangements this Ministry or the Government has to get money from overseas or from within the country, in order to equip the regions with such money, so that they can carry out their responsibilities according to paragraph 4 of the Constitution. The Minister has made it very clear that, as far as the administration and settling in the Scheduled Areas are concerned, they are his own responsibility. He apparently gets money for the Scheduled Areas, and it is as a result of having this money that he can actually carry out his responsibility in the Scheduled Areas. I would like to know why his Ministry cannot share this money with the regions, so that the regions can also carry out settlement.

I note that the Minister has surrendered the right to reply to his Parliamentary Secretary. I am glad that the Parliamentary Secretary himself is a man who is very familiar with settlement schemes, particularly outside the Scheduled Areas, and I hope he will be able to give a full reply and a full assurance on this.

We are tired, Sir, of the usual reply that Government gives us, that the money is borrowed and it is to be spent on potential areas only, and the non-potential areas should not be assisted. This policy, I think, is a wrong one. I believe, Sir, that there must be a balance of development and, since our people depend on the agricultural industry in the main, land settlement is the chief item that can improve the living standards of our people, wherever they belong in the different regions.

I think there should be different forms, too, of settlement. The Minister is often thinking only of agricultural settlement in the way of cultivation. I would like to know whether he has attempted to have a scheme, either in the Scheduled Areas or the Non-scheduled Areas, for settling people on ranching projects. This would help people in the Rift Valley Region as well as some parts of the Coast Region and also the Nyanza Region. It is not only cultivation that pays or can raise the living standards of the people, but I think producing animals, milk and other-related products could be of assistance. We would like to know what the Ministry is doing about this.

I did not understand one point, that is when the Minister said he is now responsible for land consolidation. I stand to be corrected on this, but if the regions have taken on settlement in the Non-scheduled Areas, then I cannot see how the Minister is responsible for land consolidation. Probably it was a slip of the tongue, or the Minister did not do his homework properly, but I would like to get some explanation of how land

(Mr. Ngala) consolidation is still in his Ministry, because I would have thought, according to the Minister's speech, that that subject would also have been surrendered to the regions; as the regional government agents, who used to be district commissioners, or their assistants, should be in a position to carry out this.

The Minister has mentioned Galole. I understood that in future a part of that project may be a regional affair, but I think the experimental part is still a Central Government affair.

The settlers there get four acres only and Government is charging them Sh. 1,200 a year. The settlers there, on four acres only, grow cotton on very poor soil. I would like to know how the Minister expects these people to raise their standards and to get any profits at all a year if the charges are so high. I would like the Parliamentary Secretary, when he replies, to give me a specific example of one or two accounts of settlers there who have really made a profit after paying this sum of Sh. 1,200 to the Government in a year. I think the Government is squeezing them and taking completely every little bit of income which the settlers have. I visited that area some time ago and some of the settlers have to sell some of their property to be able to pay this. They have nowhere else to go.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

I would like to suggest that the Minister in that scheme devises a method whereby the settlers can pay a lower figure, a method which I think is possible if a proper inquiry is carried out on that.

Also, I did not understand why the Minister said he was not responsible for settlement in Tanganyika. We know him as the Minister for Kenya and I would like to get some explanation of why he was referring the House to settlement in Tanganyika. Do we have any settlement schemes in Tanganyika for Kenya people because I understood that at Upangwa the whole project was rejected and completely left out of the programme? If it is still standing and if we have any responsibility there we would like to know the nature and the extent of the responsibility, and what kind of settlers are going to Tanganyika, to Upangwa, if that is the place to which the Minister was referring.

As far as the United Nations Irrigation Scheme at Tana River is concerned, first of all, I would

like some clarification. Such things as settlements in the Tana River area and Mwea, and so on, are in this Vote, but the Minister has clearly said that these are now the responsibility of the Minister for Agriculture. So I do not know whether we will be in order to discuss this, Mr. Deputy Speaker.

The Deputy Speaker (Mr. De Souza): If it is part of the Vote, it is in order to discuss it.

Mr. Ngala: Thank you, Mr. Deputy Speaker. This United Nations Irrigation Scheme at Tana River—

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): On a point of order, Mr. Deputy Speaker, I did not hear the ruling you gave on the point of order raised by the hon. Member.

The Deputy Speaker (Mr. De Souza): As far as this Vote is concerned, in which money for irrigation schemes is required to be voted by this House, it will be in order to discuss irrigation schemes, although they are now the responsibility of the Ministry of Agriculture.

Mr. Ngala: Mr. Deputy Speaker, Sir, the Mwea, Tana River and Perkeria Irrigation Schemes and water resources are in Vote 14. The Minister mentioned them, but he made it very clear that they are now the subject of the Minister for Agriculture. I was raising the question, for your guidance, of whether it would be in order to discuss these when the Minister has made it quite clear that they are now under the jurisdiction of the Minister for Agriculture.

The Deputy Speaker (Mr. De Souza): I am sorry, I misunderstood you. If it is not part of this Vote it should not be discussed under this Vote, but if it is part of this Vote, even if it is under another Ministry, I think we can discuss it here.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): On a point of explanation, Mr. Deputy Speaker, it is part of the Vote to the extent that it is printed under Vote 14. The responsibility for the administration of this is no longer a matter for the Ministry of Lands and Settlement, because events have moved so fast that between printing and bringing it to the House the responsibility has gone elsewhere and there will have to be a cash adjustment. With that explanation, I would seek your ruling as to whether the House would be in order in debating it.

The Deputy Speaker (Mr. De Souza): It is obviously a tricky position where things have moved very fast. Mr. Ngala, I think you would strictly be in order to debate this point now, considering that the money is being voted for today under this particular Head, but as the Parliamentary Secretary has explained that responsibility for this particular section is not now vested in this Ministry, I think you are much more likely to get a more satisfactory reply to your queries if you raise this matter under the Vote for the Ministry of Agriculture, rather than this Vote. However, I think you will be in order in raising it here because the money for this particular operation is, in fact, being voted today. I leave it to you to decide, but I think it would be much more fruitful to you to raise it under the Vote for the Ministry of Agriculture.

Mr. Ngala: Thank you, Mr. Deputy Speaker.

In relation to the United Nations Irrigation Scheme on the Tana River, I would like to know the details of it, because we regard this as a very important project in that part of Kenya. Particularly, I would like to know what sort of instruments or equipment will be made available to the settlers, so that they can carry out their cultivation or ploughing much faster and in an easier manner than they can do normally in that area.

Also, I would like to know whether there can be any reduction in the charge which is made for using such equipment, because strictly speaking the farmers or settlers around there may not be in a position to afford an economic rate on the use of any equipment which they might be given or lent.

I have another point, Sir. Some of the officers in survey and land offices are going to serve under the regions and I would like to know whether the money which is shown here has, from the 1st July, been transferred to the regions, so that the regions can actually pay these officers who will be serving in the regions, although shown here in the Budget of the Central Government. I would like to point out that action is delayed in many places because of slowness and slackness in getting surveying staff. We have been held up very much in the Coast Region in matters where we feel we have to go quickly, because this Ministry has failed to give us the survey teams as quickly as we would like to have them. I would like to know what sort of conditions create this delay when a region wants a survey team from the centre to carry out their responsibility in the settlement.

Mr. Deputy Speaker, Sir, as far as home allowances are concerned, I see that this Ministry this year is spending a lot of money under A2: House Allowances. Apparently, there was very little last year and I would like to have some explanation on this. It is a figure which is very, very big indeed. I do not know the changes which have come about to warrant this very high increase.

—Also, I would like to have some explanation on the passages and leave expenses; why there is this rise in the expenditure, and on the travelling and subsistence expenses on duty. I would have thought that a Ministry like this, a lot of whose duties have been taken over by the regions, should show very little here, unless these money are going to be transferred to the regions. If so, then the Minister should say so, in order that we may know what cash to expect as from the 1st July this year.

Under Irrigation Schemes, Sir, I would like also to know why there is this rise in other charges, because Perkerra Irrigation Scheme has been in existence since last July and there has been no extension there, as far as I know; and the same goes for Tana River and Mwea, too, which have been in existence since last year. Yet the expenditure this year has almost doubled. We would like to know why the expenditure has almost doubled on these items.

I would like to recommend to the Government that the experimental scheme at Galole—apart from the irrigation scheme which is the United Nations scheme—is a waste of money, a waste of time, and I think it should be closed down immediately. The settlers are not getting any benefit; they are overtaxed by the Government, and the experiment is not worth while. I think the Government would carry out a more useful experiment if they moved to better areas, such as Gao, in the Tana River area or along the river, where the United Nations Organization intends to go. The Kenya Government experimental scheme at Galole is a complete waste of money and does not benefit the farmers, nor does it benefit the Government. I want to know exactly how much the Government has spent as from the 1st July, 1961, up to date on this, and I would like to know whether there is any profit at all for the farmers or for the Government. I think it should be closed as it is a waste of time and money.

Mr. Deputy Speaker, I would like to say that I support this, on condition that I receive satisfactory replies to the few inquiries I have made, particularly on the aspect of how the regions are going to get money from the Ministry because

[Mr. Ngala] the regions are anxious to carry out their obligations, but they need the money from the centre and the Constitution today says that the centre has to provide the money.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): Mr. Deputy Speaker, Sir, I rise to support the Motion before the House and to congratulate the Government on its acumen and far-sightedness in trying to alleviate the problem which is with us and which is worrying a lot of our people: that is, landlessness and unemployment.

In addition to that, Mr. Deputy Speaker, I would like to put forward a few suggestions which will add to the good running of the project which the Government has in mind. I say this, Mr. Deputy Speaker, from my own experience as a man who comes from an area where there is landlessness and unemployment and also from experience of passing through, and even visiting, some of these areas where new settlers have been put. So, whatever I have to say should be taken as a complement, or a supplement, to the work that is already being done most magnificently in those areas.

Sir, talking from the point of view of the area where the landless live, I would like to be very parochial and suggest to the Ministry that, although I know that the selection of the settlers is in the hands of the local people—perhaps the region or the county council—it is going to be very difficult in some regions where no schemes for settlement are available, as in the case of the Embu people, where year after year I have cited in this House the number of landless in Embu District, particularly those who have time and time again applied for land in a settlement area with open space. I know a little has been done, but still seven-eighths of the landless who have been kept out or kicked out of land by the land consolidation work in Embu are still out of work, without any land, and they have to look after themselves, their families, their children and their relatives.

I would like to find out from the Parliamentary Secretary when he replies whether the pledge undertaken by the Administration, that they will make sure that these landless people, particularly of the Kikuyu District origin now in Embu and in Kirinyaga, will not be left unassured for in the new settlement in the areas where the Government has plans, is to be honoured.

Mr. Deputy Speaker, Sir, there is also another point which is important and should be noted.

I am glad that the Ministry is going to look after land consolidation. For a number of years, Sir, I have brought forward a case for an over-look at the Ordinance that operates in regard to land consolidation. If this Ministry is going to look at land consolidation I would like the Minister and the Government to review the Ordinance because it has got some anomalies which, as a result of its operations, have made a lot of people miserable because of the way in which land consolidation was conducted throughout the Central Province. I am sure our Government will look into this and make certain that the Ordinance will be put right and also take care of the anomalies that have pressed and harassed a lot of people, especially in the Central Province, very much.

Another point which I notice in the Estimates here touches on the irrigation schemes. One of the areas referred to is the Mwea/Tebere area. I agree with the Minister on the compliment which he has paid to the manager of the scheme. The area is doing quite a lot in producing rice of a very high quality and a very high yield per acre. But there is a point that we have brought into this House, or shall I say brought to this House on behalf of the people in that area who used to be my constituents before my constituency was made even smaller—that is in connexion with the people who live where the irrigation scheme is, this irrigation scheme that has been going on so successfully for the last two or three years. They would like to have a hand, and more than a hand, in looking after the scheme by themselves as a county. They have enough land, they have made a success of it, and I am sure it would save the Government a lot of money if the County Council of Kirinyaga looked after that scheme rather than the centre. I am not trying to anticipate anything that is going to come on this particular issue, but I am just carrying on with what I have already previously said in this House over the last two years with regard to the Mwea/Tebere Irrigation Scheme for rice.

My third point, Mr. Deputy Speaker, moves me from the area where the landless come from to the area where the landless are put. One wonders whether the Government is moving fast enough in providing social services for those people who move away from the crowded areas of the African lands, whether there are schools, there are hospitals and dispensaries; whether the Government is providing all these social amenities quickly enough. I know that Government has done quite a lot but all that the Government can do today is to try and accelerate the rate of school provision and health centres in

[The Parliamentary Secretary for Works, Communications and Power]

those areas. I do not agree with the Opposition when they think that I am criticizing the Government. All that I am trying to do is to bring forward to Government in a more realistic way what I think ought to be done if we want to have a contented settler element in our new settlement areas.

Another point, Mr. Deputy Speaker, which I would like to put forward to this Government—on my side—is that some of the farms which are bought today have big houses and I believe that some of these houses are an asset to this country. Instead of planning small farms of eight acres, ten acres or fifteen acres—whatever the size of the farms in the high density areas—I wonder whether a new policy could be devised whereby a big house like this could be surrounded by, or could be left standing on, a plot a little bigger than eight acres, so that the well-to-do, the landowners, or perhaps some of the people who have been employed and are about to retire can buy farms with these houses and make use of them, rather than see the houses dilapidated or going to ruin just because the people to whom the (Inaudible) given cannot look after them. Or, Mr. Deputy Speaker, perhaps some use could be made of these houses to answer the question that I have raised before of providing a hospital, social centres or schools, rather than leaving these houses decaying and in ruins when they have cost the country so much money; in fact, it would be an investment.

Finally, Mr. Deputy Speaker, I would like to pay a compliment on the work done by the Lands Department and the Survey Department. The other day I went to see the International Cartographic Exhibition and I was very impressed by the Kenya Stand. It compared very well with the stands that were put up by other international exhibitors and I think that is a compliment to our Department and to the Ministry for putting up such a wonderful show which will put Kenya on the map and particularly when we hear the Director of Surveys has been honoured in this International Cartographic Conference by the post he now holds.

With these few remarks, Mr. Deputy Speaker, I beg to support.

The Parliamentary Secretary for Education (Mr. Kagga): Mr. Deputy Speaker, I rise to congratulate the Minister for Lands and Settlement and to support the Vote.

Mr. Deputy Speaker, I have a few points which I would like to make on the improvement of the land settlement schemes. In the past I have been

very critical of the Ministry of Settlement and I would not like to pretend that everything has changed overnight for the better. So I feel that I would be failing in my duty if I did not point out a few things which I have always thought were not quite good in the whole affair. In the past, in my opinion, the land settlement schemes have been benefiting the European settlers far more than the newly settled Africans, and this is one thing I would like to see changed. I would like to see the settlement schemes helping our poor Africans who are being settled in these places. We find that a lot of money is being used in buying these big farms from the European settlers but very little is used by the Ministry of Settlement in helping the new people to settle in the new settlements. I think the Ministry should look for some more funds which could be used, to see that these people exploit the land which has been given to them, and then they could stand on their own feet.

I have found, especially in the Kipiriri and Mukungu settlement schemes, some farmers who, after going to the new farms, have no money and no capital and they come across a lot of difficulties in cultivating the land which they have been given. Some of these areas have very poor soil; some are very watery and need a lot of drainage before anything can grow. With the kind of people who have no capital we find that many of them can only cultivate a small part of it for a very long time and this is not even enough to give them sufficient food to eat. Therefore, I feel that, unless something is done after the people have been settled on these farms to help them, the settlement schemes may continue for a very long time as a very expensive project which is not going to give any return to our people.

So, on that point, Sir, I would like the Ministry to consider something which will follow up the settler after he has been given the piece of land, to see that he is standing on his own feet, he has got enough to eat, and, of course, something to spare so that he can repay his loan in time.

The other point I would like to raise is this. I have seen, specially in the Rift Valley, that most of the managers who run these settlement farms are all settlers who have been farming in these very areas. I think this is one of the greatest mistakes of the Ministry in this kind of settlement. Many of these old farmers have been against Africans farming in these areas and, in my opinion, they have been doing their best to see that the settlement scheme is a failure. In many cases they impose so many unnecessary regulations on the new farmers that they find it difficult even to carry on with these farms. There

[The Parliamentary Secretary for Education]

are cases of a number of farmers who have run away from these settlements. They have left their home area, packed up everything—and even sold some of their things—thinking that they were going to be new African settlers in good lands, and so on. When they go there they find that the conditions are no better than those in prison and some of them have to pack up and run away.

I think it would do the Ministry of Settlement the greatest service if we could see that new kinds of managers are put into these farms. I would suggest that wherever possible Africans should be put in charge of these settlements, but not settlers who had previous grudges against our people farming in these areas. If the Ministry finds it difficult to get Africans with experience to run these farms, I would suggest that these settlements be managed by officers of the Government, either from the Ministry of Agriculture or direct from the Ministry of Settlement.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

Another point I would like to make on this matter, Mr. Speaker, is that these new settlers have a lot of difficulty in buying seeds. After they go to the settlement the managers tell them that they are not allowed to buy seeds outside the settlement and he brings seeds to the area to sell. In many cases the managers sell these seeds at a very high price and they do not allow the settlers to buy them anywhere else. For instance, we have cases in the Kinangop area, where potatoes are always very cheap but these settlers are not allowed to buy potatoes around where they live. They are told that they are not the correct grade that is required and they are forced to buy at a very high price from the settlement. I think this is very unnecessary and it is not very conducive to good settlement in these areas.

Another point is that the managers who run the settlement schemes do not help the farmers to run these farms and instead many of them have been using these new settlers as a pool of labour to help their brother settlers in the area. When these new settlers are unable to cultivate the land and they are short of money they are encouraged to work on the nearby farms instead of working on their own farms. Therefore, I would like to suggest that every assistance should be given to these people to enable them to cultivate the land they have been given instead of letting them be used as cheap labour for the neighbouring settlers.

My last point, Mr. Speaker, as I said in my first point, the settlement schemes in the past have been benefiting the settlers. It was the policy of the previous Government just to dump the new settler on a piece of land and then tell him, "This is your piece of land and it is up to you to do the best you can." If I am thinking rightly the aim of the whole settlement schemes is to settle the landless Africans. I do not think the aim was to compensate only the out-going settler and to leave the African to manage as best as he can. Therefore, I would think that the whole policy of the land settlement should be changed to provide funds and all kinds of assistance—technical and otherwise—to see that after the new settler has got his piece of land the Government looks after him and gives him every assistance possible. I think that, in time, he will be able to carry on with his farm and he will be able to produce enough food to eat and he will then be in a position to repay his loan. Otherwise, Mr. Speaker, we may find ourselves in a very difficult position in a few years, after we have spent all this money we will find that we have not helped a single African but we have only compensated the out-going Europeans and our poor Africans will be still in the old position.

As I said, Mr. Speaker, I support the Vote, and I congratulate the Government on what they have done, but I feel it is necessary that there should be a lot of changes including those which I have mentioned. Otherwise the land settlement schemes will not be popular.

My last point, Mr. Speaker, is that—as we have heard in this House—many of the evictions which are taking place in the Rift Valley are as a result of these farms being sold either to the Settlement Board or to other persons. The people living on the farms must then be taken care of by the Government and I feel that the Ministry of Settlement must do everything possible to see that before these people are removed from the farms that are taken over by the Ministry of Settlement some alternative accommodation is found for them.

With these few points, Mr. Speaker—which I believe the Minister for Settlement will consider seriously—I beg to support the Vote.

Mr. Ngeli: Mr. Speaker, some bright points have been brought forward by the hon. Member for Kandara and the hon. Parliamentary Secretary for Education. However, I would like to add a few remarks. It is surprising that as soon as I stood up, my friend, the Minister for Settlement, ran away and has left his Parliamentary Secretary and, perhaps, he will not be able to answer some of the points that I am going to raise.

[Mr. Ngeli.]

I think, Mr. Speaker, that this is one of the most important Votes we have to discuss here. We have a history of European settlers who have been brought up and nursed by gifts of exorbitant amounts of money and they could therefore develop whatever acreage of land they had. Now, since most of them are running away—for reasons that I do not understand—I feel that the same amount of money should be given to the indigenous people of this country, the sons of the soil, so that they may benefit far much more than what the Government wants them to do at the moment. It is unfortunate that we have got a division of powers, as laid down in the present Constitution. I do not want to say anything about that because neither of the two parties can stand and point accusing fingers at each other because both were very involved in the creation of this Constitution. Therefore, it is unfortunate that these powers are really hampering the progress of the country, because now and again in this House, when we discuss a very important matter like this, somebody stands up and says that it is not a matter for the regional government, it is a matter for the Central Government and then another person stands up and says that it is a matter for the regional government.

We also have some very unfortunate terms that have been used in the past, like "the Scheduled Areas" and "the Non-Scheduled Areas", and these terms are still in existence. I thought we were in a different era in Kenya and words like "settlers" and "Scheduled Areas" should not be mentioned in this House. We only have one thing—as in the title of the Ministry—Land Settlement and that term means what it says.

Mr. Speaker, Sir, I want to say that we do not want to replace rich landowners—as in the past—and they were mostly Europeans because they had the money and the tools, with another class of African landowners. We have the problem of unemployment and now these farms are changing hands. Mr. Speaker, Sir, from the old class to a new class with equal status. We would like to have a change, we would like to have those people who have really suffered see that this *status quo* is removed and a new and prosperous country emerge. The Government is there, and if it is not aware of this problem they will have to increase the General Service Unit and their security forces within a year if they do not satisfy the ordinary African. You may say that I am an advocate of some of our dear brothers and sisters when to live without food, and some of them suffering from diseases and some of them

never even dreaming of eating meat, because they have not got the money. Now we are saying that we are going to go into different camps, but really we are staying in the same camp.

The Minister did not tell us, Mr. Speaker, what he is going to do with the thousands of landless Africans. I am not saying that each one of them ought to be given a piece of land, but some tangible plan should be made in this House so that it can be passed. The only thing I have from the Government is the usual stuff, the usual Governmental stuff, long figures, surveys and maps and so on. If we look at the book—I have brought a copy of it, Mr. Speaker—you will find that emoluments have been put there. A lot of money is being given to those ex-settlers. A lot of money is being given to those experts who come from overseas, but what do they do? This is the question. We want to see something done.

The Parliamentary Secretary for Education has said something very touching, and that is why we are going to be constructive and co-operative in the Opposition, and if we get intelligent people on the Government side saying something, not just big sermons with nothing in them. Mr. Speaker, Sir, this is one of the occasions that I have to repeat one of my old sayings. The Government comes here and they are just like a man walking towards us with a big cage and saying, "Hallo, friends, get out of my way, I have a big lion here and as soon as he barks out you will be eaten." The moment the cage is opened you find a mouse walking out of it. That is how the Government behave. We look at Vote 14 and see under the Personal Emoluments the Minister and other people, and though I do not want to make a row, I think that if something tangible was being done this Minister would not be enjoying so much money per month when there are people in the country without anything to eat.

We have heard of these settlement schemes and we have visited them and we have seen what is going on. We have seen advisors who are not really given advice in the right way, they are giving advice in the wrong way because they would like to see these settlement schemes failing. That is why I am asking the Minister for Lands and Settlement to be very careful and to see that something is being done.

Let me go back to my small argument. The Opposition is not advocating settlement for the sake of settlement. We want settlement with economic stability, with something coming back from the settlement. We do not want to squeeze these settlement schemes into smallholdings, we want to see something done. If it is a question of

[Mr. Ngeli]

settling the people for the sake of settling that is no use at all. I want to take an example of the settlement near Lukenia. I want to know what is going on there. Nothing! There is, however, something going on in the papers, the Chairman is being photographed and then that is the end of it. The point that I want to put before the Government is that the Minister must be very careful as to his selection of those who are going to be settled. If it is a question of those who have money then I am afraid to say that we are going in the wrong direction. These poor people can be helped, they can be given loans and they will repay the money that they get after selling whatever they produce whether it is livestock or pyrethrum and they can pay gradually from the profits of these things. If it is a question of who has the money then we are going back to the old Kenya history and I can tell the Government that they will collapse and I will be only too pleased to take over and give the landless African land.

There has been a point raised about the selling of the farms. We are creating a new problem, adding to an existing problem. If I may give an example: here is a farm with 140 Africans, I do not know if they are still called squatters, there are so many Ordinances, rules and what not that we do not really know where we are, but I think they are called licensees, according to the present Agricultural Ordinance and no longer squatters. Squatters is a very unhealthy term.

If the Central Land Board buys a farm and there are some Africans there, it is very inhuman—because some of these Africans have been there for more than thirty years, we know about them—just to go and tell them that the farm has been bought and the only alternative for them is to go. Why does the Ministry of Lands and Settlement not consider those who are already staying in that very farm to be the settlers of that farm, Mr. Speaker? Why should other people be brought in and those who have been there kicked out, creating a new problem of unemployment?

An Hon. Member: *Majimbo*.

Mr. Ngeli: That is not *Majimbo*. Mr. Speaker, that is always what we get in this House: *Majimbo* and nothing else but *Majimbo*.

Why does the Minister not settle those Africans who are there as licensees of that farm, instead of kicking them out? Where do they go when they are kicked out? That is one of the things which has not been answered in this House, but we have been having a lot of parliamentary and

honeyed words, almost like a new language being given to us and fed to us in this House, and I am afraid to say, Mr. Speaker, that some of us will be putting cotton wool in our ears so that we do not hear any more of these things.

I have two points to drive home, Mr. Speaker, to the Minister for Lands and Settlement. The first one is about those licensees who are on the farms: I do not want to be repetitive, but I think something must be done by the Minister to see that those who are on farms get the privilege—if I may call it that—of staying on the farms. My second point is that tangible plans should be made for resettlement. Those two points, Mr. Speaker, I consider to be very important.

My last point is about productivity of these settlement schemes. It would be very bad to have settlements which are not going to produce anything, just because you want to settle Africans. That means we are not in favour of splitting these farms into small holdings, we want the landless Africans to be settled in a co-operative society, so that they can reap the benefit of that very area which they are taking over. It is one of the things which is being used by the former settlers who are saying, "Look, split the farms so that nothing comes out, so that they may say that we are the only capable farmers in Kenya and now the agricultural economy of Kenya is collapsing because we have left the country."

Having raised those three points, Mr. Speaker, I do not want to waste time, and if the Minister can assure me that he is going to look into these points, then I shall not hesitate to say that I will not oppose this Vote but will support it.

Thank you very much.

Mr. J. M. Karuki: Mr. Speaker, Sir, I rise to support the Minister for Lands and Settlement, and I would like to mention a few things in connection with settlement.

Settlement, Mr. Speaker, Sir, is planned to purchase more than 1,150,000 acres in the Scheduled Areas for the development of small holdings. It is estimated that the total number of settlers likely to be accommodated will be between 40,000 and 50,000. Some of these settlement schemes, Mr. Speaker, are in my constituency and I have a few points I would like to bring to the attention of the Minister concerned.

One is that these settlement schemes at the moment are going to prove a waste of the whole country that they cannot, under any circumstances, be fruitful in the economy of this country will be seen within two years. In some areas, such as Mkombei and Kipipiri settlement schemes, where

[Mr. J. M. Kariki]

Africans were given at least seven or fourteen acres of land, no one would expect these people to have any products coming out of their small holdings, as a result of the floods. Some of them were given loans by the Government to buy potatoes, and they planted them on their own farms, but I wonder whether a quarter of those people given loans by the Government will be able to repay the loan in time, and I wonder whether the Minister has taken any steps to find out what is going on in that area. That is one thing which I would like the Minister to find out in the course of his duties, because there are so many Africans who have been given loans in those schemes and who will not be able to repay the loan as a result of the crops which were badly damaged by the rain, and who are not expected to harvest anything this year. How will they be able to repay these loans?

The other point I would like to raise, Mr. Speaker, is this. The hon. Member for Kandara made reference to the agricultural officers who are given the responsibilities for the settlement schemes. I would like to stress that the officers who are now working in those settlement schemes are not encouraging the settlers to do a better job in the settlement areas and that what they are doing at the moment is to discourage them, so that the seven or fourteen acres of land they are given will not give them the crops they want in time. I have a few examples, Mr. Speaker, Sir, and if the Minister would like to know of some of them, I would be delighted to explain them to him later.

Another point I would like to raise in this connexion, Mr. Speaker, is the question of the pulling down of fences. At the moment, if land is bought for land settlement, fences—and I have seen this in my own constituency—are pulled down before the settlement is carried out. In that case, Mr. Speaker, Sir, the Government pays money for the fences, which cost £60-£70 a mile, and then it employs at the same time some other people to go and pull down the fences. Later on, when the land is given to the settlers, then the Government again provides money to put up fences. In that case we are losing and I would like the Minister to go into detail and find out why if it is the Government who pays for the fences, then employs other people to pull them down and then provides more money to put up new fences. I hope the Minister is going to take steps towards a proper inquiry into that.

Another point I wish to raise is in connexion with houses. Mr. Speaker, in my constituency

the European settler is given a chance to remain in the same house bought by the Settlement Board for a week or two. There are also other things, such as furniture and water pipes, that were bought by the Ministry and when I go back there I find that some of the pipes have been removed. The houses may have been bought at the rate of £1,500, then the same person goes back there, removes some of the things and sells them to whom he chooses. Mr. Speaker, I would like the Minister to go into the details of this sort of thing and find out the remedy to it. What things are bought when a house is bought by the Ministry of Lands and Settlement? Some of the things are bought and if that is so, why is it that in my constituency some of the houses are empty and the things have been removed?

Mr. Speaker, Sir, I can give you examples. In North Kinangop a house containing many things was bought by the Ministry of Lands and Settlement. When I went there with the Regional Government Agent, he told me that everything was there in the house, but in fact there was nothing at that time. These are the sort of cases I would like the Minister to go into and to find out why it is that these things are removed.

I would also like to draw the attention of the Ministry to the state of the farms which, under stand, are also the responsibility of the Ministry of Lands and Settlement, and if they do not come under this Ministry the Parliamentary Secretary will tell the House during his reply.

There is a farm at Thomson's Falls where 180 families from Nakuru, Kitale and other areas are kept. These people were promised land, but because the manager of the farm, I am sorry to say, still harbours the same ideas as during the Emergency. These people are discontented with the situation in that area, and I would like the Minister for Lands and Settlement to go and see for himself what is happening there. The people in that area are not satisfied with the way in which the officer-in-charge of the settlement at Thomson's Falls is treating the people. They are being treated like detainees in a detention camp. They have not been given any land at all—they only get food—and at the same time they are working for the Government. I would like the Minister concerned to go into the details of this situation, and I am quite sure that he will find a solution to the problem. This, I am sorry to say, is as a result of the Coalition Government which was out to do nothing but to monopolize everything in this country. I think the present Minister will do something to alleviate the position of these people.

[Mr. J. M. Kariki]

Mr. Speaker, Sir, I would also like to mention that the most important and vital thing to do as regards settlement is to carry out a survey of the area for settlement before sending the people there, in order to find out whether they are going to be able to cultivate and reap anything from the land they are given, instead of giving them land in swampy areas where they will not be able to get anything after planting their crops.

I know that maps are supplied to the Agriculture Department who, as agents for the Settlement Board, prepare a detailed layout of each geographical area, bearing in mind the type of schemes under consideration. Mr. Speaker, Sir, if the Minister takes into consideration the £7 million which has to be used for development schemes—I understand that it is something like £27 million; if I am wrong, the Parliamentary Secretary will correct me.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): That is correct.

Mr. J. M. Kariki: Thank you very much. If we are to use £27 million to develop this country, under the present policy, I am sorry to say that this country will become another remittance colony of the British Government. If we are not going to use this money properly, if we are not going to use it to settle our own people properly, how will they be able to repay their loans?

Mr. Speaker, Sir, I will quote the example of a person who has one acre, which costs Sh. 400, and another person who has ten acres costing Sh. 4,000. The second person obtains a loan from the Government; he pays 6 per cent every year and his loan is required to be repaid within thirty years. You will find—if I am not wrong in my mathematics—that when this man has repaid the loan he will have paid Sh. 11,200. Under these circumstances I wonder how the people who cannot produce anything on their own farms will be able to repay the loans within thirty years. Future generations will go on repaying this money and I wonder how long that will also take for the future generation to pay.

Therefore, Mr. Speaker, I would like the Minister to go into detail and review completely the whole policy of land settlement. Unless the policy of land settlement is completely changed, I do not know how the people will be able to manage nor how we will be able to develop this country in a better way. The policy can be changed. We can organize either co-operative societies or larger units, whereby most people will be employed by the Government, so that they earn their living from the Government, and

then develop whatever they can. The Government should then say that they are going to buy the crops grown in those areas, because there is no guaranteed price from the Government at the moment under the present policy. For whatever these people are going to produce, the Government should give them a certain price. I would then like the Minister concerned to tell us whether there is a guaranteed price and whether whatever these people are going to produce will be bought by the Government at the rate mentioned in this policy. This is not the case at the moment, but it is the only way. That is why I say the whole policy should be reviewed so as to include these few things which are lacking at the moment.

Mr. Speaker, before I finish I would like to ask the Minister concerned, or the Parliamentary Secretary, to explain to me exactly what the position is because I seem to be a little ignorant of what is here. There is a total Vote of £270,600; but if we go back to Head A1, Personal Emoluments, we find £275,700. Mr. Speaker, Sir, as a new Member in Parliament I would like to be informed why it is that Personal Emoluments exceed the total Vote.

Mr. Agar: Mr. Speaker, Sir, I would like to see these settlement schemes serve some objective purpose, so that they help to reduce the problem of unemployment. Really, it is a difficult problem to overcome and a difficult operation to carry out, because so many people who are supposed to be settled are poor people; they have no capital to develop new land and the Government has not sufficient money to keep them free.

The Government has spent this money to get them over and it means a lot of co-ordination, a lot of planning and organization between the Ministry of Land Settlement and the Ministry of Agriculture. Also, as said by Members of the other side, the splitting of land into small holdings will not lead to the increase of production in crops.

I would also like to emphasize this fact, that the Ministry for Lands and Settlement should realize that it has got to complete this difficult task of settling poor people on new land, these people are landless and they have no money. At the same time they have got a duty to the Ministry of Agriculture which has to show the people how to use that land best and how to maintain it on an economic basis.

Another point, Mr. Speaker, on this Vote is that the people of the Nyanza Province feel that they have been completely left out of the settlement schemes. We know, which makes this problem worse, that these two areas, South and

[Mr. Agar]

Central Nyanza, are areas which are overcrowded. It is a dry area and it has only got one rainy season and the population is thick and the largest holdings there, at the present, are about 2½ acres per holding. Some people have no land at all and therefore when these schemes started up the people of Nyanza were happy that some of the vast areas in Kenya, originally held by the European settlers, would benefit them too. Since these settlement schemes were started, however, we find people asking where they are and they do not find any advice, information or assistance. I suggest, therefore, Mr. Speaker, that the Minister should examine this question of the landless situation in the Nyanza Province around the lake. This area has been made worse on account of the flood from the lake and the rivers. In these two districts particularly I suggest there should be settlement advisors, who should consist of the District Officer and the chiefs, because people go to them for advice and nowadays they are not given any advice. These poor people want the District Commissioner or the District Officers to advise them on ways in which they can get land. This land should not go to the people who are rich and who are capable of buying land. The main object of this settlement was to settle landless Africans and to help them I think there should be advisors provided at the district headquarters. If we had these advisors those people who have no means to travel to Nairobi or to the regional headquarters to find out these things would be advised regularly in the country. They would be told where the settlement schemes were and how they could get the land.

Nyanza Region has been neglected economically too and you will find a lot of unemployed people there, young people who are landless. If we do not look into this problem we are going to increase a lot of poverty and a lot of unemployment in the Nyanza Province. Therefore, I request the Ministry to see that this year there is a re-examination of the settlement policy with regard to the share that goes to the Nyanza people. To add to this, we have also seen areas in the Nyanza regions for settlement like around Muhoroni which is a very good area to be in. These areas are there and we also want some of the money that has been allotted for assisting the new farmers to be allotted to these areas so that they can be developed. It is difficult for a man to go to a new place and to farm for a year or two with no money and no house and therefore not be able to produce anything to eat. He cannot do this unless particular assistance is given to him. We have seen in the Votes a

lot of things like survey, and a lot of money has been spent on technical advisors and so on. I think the most important thing is the care of the local people who are going to settle these farms. We do not need technical advisors and so on, proper survey is needed, but I think we should reduce the amount of money spent on technical advisors and so on. The most important thing is the enthusiasm of the people who go to settle these areas. The farmers should be assisted and it should be made sure that they can sell their produce and, if necessary, the Government should subsidize them.

Mr. Speaker, Sir, as I have said already, many things have been pointed out and I have also pointed out that Nyanza has been neglected. The last thing I want to say, therefore, about these settlement schemes is that we should not allow ourselves to help only those who have got the money and who have already got the means of buying the land. The Government should look at this problem and these schemes and find a means to solve the landlessness problem. The majority of the people who are landless are ignorant and very poor and so to make it an effective scheme I suggest that the Government take steps to implement a scheme in which advisors are included. A body of advisors should also be set up to find out exactly who are the people who are in need of this settlement so that by the time this scheme is allocated you will be using landless people on the scheme.

As one Member on this side has pointed out, we may end up by finding that we are in a worse position than before, if these schemes are not devised properly. I would like the Government to look over it again and see that these people are properly managed. Corruption should also be avoided whereby people have to employ labour from someone in charge of settlement in the region. That must not be done in the regions. Therefore, to help those who are poor the Government must go into these schemes immediately. I think it is also the job of other Ministries—other than the settlement ministry—to see that Africans are really benefiting from the administration.

With regard to the feelings between the European settlers and the poor Africans who want to settle in these areas I think the Ministry has got time to check on the people that have got time to squat. I do not think that too much money should be spent on buying these farms when they are left to lie idle and no one is settled straight away. Either we urge the settlers to try to continue to employ the labour or else

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we must find another way to continue to use these farms.

With those few remarks, Mr. Speaker, I support.

Mr. ole Tipler: Mr. Speaker, Sir, as usual I will try to be as brief as possible. As we know Kenya is not an industrialized country, it is an agricultural country, and as such unless we plan and handle our settlement schemes in order to increase the land productivity—that is giving us enough products for our export markets—we are not helping at all. What we are, in actual fact, trying to do is to ruin the economy of this country.

Having said that, Sir, if we examine the whole position very, very carefully, we can see that this Ministry is, in fact, fragmenting the land into small and uneconomic holdings. As soon as we settle people there we find that they are not given sufficient loans to enable them to develop their land, they are not helped in other ways, and in fact no training facilities are provided for these new settlers to learn the modern farming practices, they are just simply dumped there and are told to go ahead with *fembes* to make the best they can out of the land. I, for one, would have thought that such a Ministry would do well to amalgamate with the Ministry of Agriculture and the whole of the planning should be carried out by one single Ministry rather than by two or three Ministries. It means a duplication of work and unnecessary expenditure of the public funds.

Mr. Speaker, Sir, what we want in this country is to plan very, very carefully in order to raise the income of our country. Of course, this can easily be done where the land is suitable and where the settlers are so trained to run farms on the family basis, or on the co-operative basis. You will find that by so doing the annual income of the individual farmer will be even greater than the present income.

Sir, much has been said about the so-called landless people. It is a fact, and this fact must be faced, that population—not only of Kenya—throughout the world is increasing and it grows year after year. But the land does not increase or grow, and as such, I think I am right in saying that the present land settlement measures can only be regarded as temporary to ease the pressure for the time being, and unless we plan very carefully, and properly too, on how the remaining landless people of our country are going to be employed, in order to derive a living for themselves and their family somewhere outside the agricultural industry, then we are just wasting time and deceiving ourselves.

Of course, it sounds all very well for some people to talk of land, and it appears that in some hon. Members' minds the landless are confined to a given locality or to a given region. This is a very false impression, because even in the so-called Scheduled Areas you will find two generations of people who left their original land units to work in the Scheduled Areas; they have no other homes to go to; and these people—I would have thought, should have been given first priority. I do not accept the answer from the hon. Parliamentary Secretary, when he replied to the Motion on the Adjournment yesterday, that having worked on a farm for 30 years is not the only qualification. This is a very negative approach.

Having said that, there is also, Mr. Speaker, Sir, the question of people who have land, but this land is absolutely unproductive, nothing but sand, a complete desert. Into what category do these people fall? Take, for instance, my friends the Turkana. If you take some of your so-called landless people from some areas into Turkana country and tell them to dig that sand, you will see whether they can produce anything, but I am sure my hon. friend, the hon. Member for Kandara, will support me in this, having been at Lodwar.

This, also, is another big problem. I think, and this was proved during the last famine, floods and drought. This Government, the United States Government and the United Kingdom Government spent a lot of money in trying to help our starving people in these areas. How much better it would be if even a few hundred could be settled in one of our arable lands, so that they could at least, not only produce enough food for their own consumption but also help their unfortunate brothers who, through no fault of theirs, happen to be living in desolate country. This, of course, I am sure, will apply equally—and rightly too—to my own people, the Masai.

It appears to me that the present Government want to copy the past imperialist Government, in that they want to ignore other people, they want to ignore some parts of the country and let those who have more have more, still added to what they already have. Take, for instance, the present settlement schemes; there are some tribes or some areas on which the Government is concentrating.

Of course, everybody wants a bit of land to settle. Why does the Government not consider other areas? For instance, there are my people living around Magadi, in that waterless country to which they were forced to go by the British

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Government from their fatherland, from the land which they regarded as their Jerusalem, to be left in the bush to starve and to have their livestock die out. Why do they not at least, as a matter of a rehabilitation measure, settle some Masai families—rightly too—on their former land, on the land which belonged to their grandfathers, land which they rightly claim as theirs, instead of just—

An Hon. Member: Where?

Mr. ole Tjips: Mweiga, if you want it, which is Masai land. This shows very, very clearly that unless these settlements are properly tackled they are not going to ease the situation at all. I can see quite a number of hon. Members trying to laugh, but this is not a laughing matter. What we want is to settle our own affairs in this country, amicably and peacefully, and not to try and copy the imperialist's tactics. He is not interested; he just wants to get out of the country, to hand over the Government, and what will happen after that? If we do not handle it properly, then the imperialists will be laughing at us. We are all brothers, we live together and we lived together before they came to this country, and there is nothing to stop us sitting down and settling this land problem together if this Government is an African Government, but if some of our friends—and rightly too—feel that there are profitters in this whole racket—

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): On a point of order, Mr. Speaker, could the hon. Member substantiate there is any sense of racket in the settlement schemes, or will he withdraw?

Mr. ole Tjips: What I said was that any racket in these land transactions will not do.

The Speaker (Mr. Slade): Mr. Tjips, you are not saying there is a racket, but you are hoping that there will not be a racket?

Mr. ole Tjips: Yes, Sir. What I was actually saying, Mr. Speaker, before I was interrupted by my hon. friend was this. Let us get down to work together. This is an African Government, we are all Africans; we live together. Let us not say, "All this land originally, of right, belonged to you, the Kikuyu or to you, the Jalo." We are congested, please let our people in." But if you copy the injustice of the British Government, the injustice of robbing Peter to pay Paul, then you are going to suffer the consequences of this injustice.

The other point I was coming to, Sir, is the selection of suitable land for any given settlement. I was surprised the other day, Mr. Speaker, to find that nearly 3,000 acres of land intended to be bought by the Ministry of Lands and Settlement for what they call high density settlement in a given area of the Rift Valley Region—

An Hon. Member: Where?

Mr. ole Tjips: Kipikipiri, if you want the name. I know this place very well, and I hope my other friends will support me in this. I know the hon. Member for Aberdares knows this place, and the hon. Member for Kandara, and so does the Parliamentary Secretary, and others. The land around this place, surely, is not agricultural land. If you want to put in cattle ranches or sheep ranches, that is something good. You get water through bore holes and things like that which are very expensive. Ask some of my European friends there and they will tell you how much it costs them. I am not quarrelling, but I should have thought the potentiality of the land should be carefully examined, it is no good just dumping people there. After all, these 3,000 acres can only accommodate between fifty and sixty families. Why not settle them in areas of high potentiality?

There seems, as I said earlier, Sir, to be a lot of duplication of work, not only between this particular Ministry and the Ministry of Agriculture but also the regional governments come in as far as land settlement is concerned. You find that there are settlement officers, most of whom—who are known to me—have no experience in agriculture at all. The only experience they have is that they have been farming for quite a number of years and they know how to run a farm with a few African labourers. What I am intending to say, Sir, is that here we are faced with an awkward position. You find one or two of the old European dicharus who refuse to change with the times of Kenya. Such a man has decided to sell his farm, to get as much as he can from the Land Settlement Ministry, and get out of the country and try to earn his living elsewhere. I think it is morally wrong for this Government to spend money employing such a person who is not interested in the welfare of the country. He has no intention of remaining here, so why should we help by employing him, by paying him a fat salary every month? This is very wrong. He should be paid for his farm, board a train to Mombasa and then say goodbye. Such posts, surely, could be held by our experienced agricultural instructors or assistant agricultural officers, who are living in Maseno and Egerton College and other agricultural institutions. They could do a better job

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than a man of this character, the expense at least to the Government would be less. These people of ours would only need a motor-cycle to run up and down between one farm and another, and not various Land Rovers, whose petrol consumption is 14 m.p.g., in addition to a very expensive house, travelling expenses and leave passages, as is reflected in the Estimates. That is not the type of staff we want, we want people who have no other home to go to, to help our people, and not to throw our money away.

If it were an expert job and we had no people in the country who could do such a job as that of a settlement officer, then I would agree that they should be employed, but in this case there is no reason whatsoever. In addition to that, in every region there are regional agricultural officers. It is true that they do consult with the settlement officers in general, but this is another example of duplication of work. Let the Ministry of Settlement do this survey, the allocation of land, but the general farm planning, to decide what should be grown in a particular place and what is required, should be done by one single officer, and that is the regional agricultural officer and his staff.

As I have already said, there seems to be quite a lot of unnecessary expenditure and I think we shall be well advised not to concentrate mainly on agricultural farms. We should try and buy some land suitable for ranches because as the settlement schemes go ahead I believe—I might be entirely wrong in this—that the livestock population in the present Scheduled Areas is bound to decrease somewhat. If this is the case, it will affect not only our beef export market but the production of enough beef for our own consumption. I should have thought that some suitable land should be bought and the African ranches settled on such farms with good, improved livestock, and helped to become beef producers or dairy farmers. It is no good concentrating all the time on growing pyrethrum, coffee and potatoes around the Kinangop when there is no market to which to send these products, so that they are left there to rot and sometimes cause a very dreadful smell along the roads.

I did not intend to speak for long, Mr. Speaker, but I think my hon. friend, the Parliamentary Secretary, will take these points into consideration and give his own Ministry, his own Minister, his wonderful brain to help put some of these things right.

Thank you, Sir.

Mr. Kamau: Mr. Speaker, Sir, I have been listening very carefully to the argument on settlement schemes. I have only a few points to add to what my hon. friends have said. I think it is a very appropriate time for the Ministry of Lands and Settlement to re-examine the whole position of settlement. The reason why I have risen to state this, Sir, is that I have been personally struck by the method adopted for sending settlers to the new farms.

One of the worst things is that you find the people who are at present being sent to settlement schemes are selected by a very bad method. In the area which I represent that is what is happening in every district or every region. I find that landless people are requested to submit their names. I must tell this House—

QUORUM

Mr. J. M. Karuki: On a point of order, Mr. Speaker, do we have a quorum in this House?

The Speaker (Mr. Slade): No, would you ring the Division Bell.

(The Division Bell) was rung.

The Speaker (Mr. Slade): We now have a quorum; would you please continue.

Mr. Kamau: To go back to where I stopped, if you examine the way in which these people are applying for the land to be settled you will find that the Administration in the areas concerned, while trying to get settlers for a new scheme, usually ask for the names of the landless people to be submitted either to the chief or the district officer's office. Thereafter a committee is appointed by the locations to nominate these landless people. You will find that the son of a man who has land somewhere else—who is a landless person and has his name on the list—will get the land in the same area. You find that people who were put in villages after the Emergency are hopelessly landless. They are landless or they were tenants—the Kikuyu word *ohal*—and they were grouped in a village. Now they are aimless because they have no land. This is why I say these settlement schemes should be completely revised because they were devised by the Coalition Government which was not in power for the interests of the African at all.

With that in mind, Mr. Speaker, I would suggest that when the revision takes place landless people should form the committees and they should inform the Government of the true picture of the landless people. I know the whole world

[Mr. Kamau] is looking at Kenya to see how an African can govern his country. It is well known that Kenya is one of the richest countries. In coffee, sisal, cattle and so on, and if the present schemes are pursued as they are it will only mean that the whole world shall say Africans are not able to govern the country economically. Kenya has dropped its production economically. Therefore, I would suggest at this stage that before the settlers are sent to those new areas the Government should know exactly that they are sending the completely landless people to these areas they have set aside for settlement. The Government should finance them in the way that I am going to suggest; they should build houses for those people firstly, because at present a person is told to leave his family behind and to go into the forest to cut wood for building houses for his family. After he has completed the houses he is allowed to fetch his family and the people who are told this are regarded as the poorest in the community. I have witnessed this with my own eyes, and I have found that people who have been sent to these areas have come back because they are unable to carry out the scheme because they have no money to start to cut trees from the forest. I have even found some of them coming to borrow material from the shops in my area—in Meru, for example—they borrow tools to take to the South Kiungu. I would, therefore, urge the present Government to completely revise the whole system of the settlement schemes. They must see that it is organized in a way which will make it well known all over the world and the world will know that we have a responsible African Government who have replaced the Imperialist Government. As I take it, at the present we are in a trial period and our hon. European friends, when they leave the country, will go and tell the world how we rule.

I therefore request the Minister concerned very sincerely to go into this matter. I will not blame the present Government, it has only found a Paper on the Table that has already been drawn up, but it is for this Government to check whether the drawing was right or wrong. It is wrong to ignore it, they should cast it away and take a new form and make our people be proud of their Government. I have seen that both sides of the House are in agreement and so is the rest of the world, that this Government which is going to take over the country is a responsible Government and is formed by responsible people.

I will make it a bit wider by saying that when the Minister goes into the settlement schemes he should look all over the country—disregarding the

regions—to see that the people in every place are properly settled and that every place is properly watered. At the same time I think the scheme should be run by people with experience in the Administration. In the present day in most of the areas you find these people who are sent to the transit camps, they are just ignored there. You also find officers of the last Government—which were responsible for these schemes—sitting in their offices with their pipes or cigarettes with their feet on the tables and ignoring the people outside who are being scorched by the sun. We do not want to see these things happening in our Government. We want the responsible people in the Government to respect the ordinary man. We do not want these officers who look after the settlement schemes to pay one visit and find out that there is no transport and so they do not go again. These people from the transit camps should be taken to their destinations.

I therefore urge my present Government to revise their policy and see that the settlement schemes are done properly and that they suit the conditions of the present circumstances.

With regard to that I am coming to the present settlers who are selling their land to the Settlement Board. It is not the Kenya African Government's intention to see that we simply buy the land of an individual and then disregard him. We only want to request these people to change with the times and agree that if they want to sell their land and at the same time want to remain in Kenya, it is our duty to help them. The situation, however, is very bad in the Rift Valley. We are receiving complaints from our hon. friends who represent that area and these complaints are very shocking. We hear that our people are receiving mistreatment. I think it is the duty of the settlers to know that it is not only in Kenya where this is happening, it has happened in every other British Colony. When the time comes for the inhabitants of the land to rule themselves it is their right and not just a privilege. Of course, it is not our duty to revenge, but I think if the situation continues like it is at the moment it will give a very bad picture of the settler community. Everywhere our people are complaining that they are mistreated by the settlers. I would appeal very sincerely to the settler community to understand that the time has come for the Africans to rule their own country and it is up to them to adjust to this change. They will have to come and shake the Africans by the hand and to treat them as friends, the time of "boy" has gone, and the time of friends has come. We will shake hands with one another and we will live peacefully together.

[Mr. Kamau]

Therefore, Mr. Speaker, I am urging the Minister for Settlement to review the whole system. I also urge my friends, the settlers, to change with the times so as to turn Kenya into a peaceful country. I have personally spoken with many settlers who are in my constituency—Githunguri—and they all agreed that they think Kenya is a wonderful country that they want to live in. Why do not the settlers in other areas like the Rift Valley and Central Nyanza agree that this is a country where every Kenyan wants to live happily and peacefully? They should encourage the friendship of all races so that they can leave behind this unfortunate ill-treatment of our brothers and sisters. The consequences shall be theirs.

The Speaker (Mr. Slade): I am afraid that is outside the scope of this Ministry.

Mr. Kamau: Mr. Speaker, I would like to request the Minister for Settlement to review the whole thing and see that the settlement schemes are done properly.

My last point, Mr. Speaker, is regarding this scheme, and I would request the Minister to see what happens when one is given a piece of land. I understand that what they have been told is that after getting that land it will be ploughed and after being ploughed they will be sent a bill and will then have to repay the money. I would request the Ministry to see that it helps these people do their work; it must see that the land is properly cultivated and that houses are built. The new settlers must come to live in these houses knowing very well that they will repay their loans because they have been helped. However, it would be very difficult for the settler to come and to be given a job on the land if he has not got a house or anything else, so I appeal to the Minister to go into this scheme and have it completely reviewed.

With these few remarks, Mr. Speaker, I beg to support.

Mr. Kase: Mr. Speaker, Sir, I would like to put some points to the Minister for Lands and Settlement, especially on the Tana River irrigation scheme, which is 100 per cent in my constituency. It has already been said by the Leader of the Opposition that the fee for entry is very high—Sh. 1,200—but if you do the mathematics properly it is Sh. 1,700. I am going to give him the figures. The person—he is called the tenant—signs a bond for Sh. 1,200; when he is going to plant he is given another Sh. 100, that is Sh. 1,300; when he is going to reap he is given another Sh. 100, that is Sh. 1,400; during the

harvest time he is given another Sh. 300; so the total amounts to Sh. 1,700. You find that the total yield of cotton on the average is about 3,000 lb. per tenant, but at the price they sell it they really get paid for only 1,500 lb. Therefore, in reality the Government is trying to get as much as possible from the tenant instead of increasing his income, and I think, as has already been said, the whole question of the policy under which they are carrying this out should be reviewed.

I understand—and I stand to be corrected—that this scheme was designed to keep the detainees occupied and keep them inside, but I think the time for detainees has gone, and if it has not, I think the Minister can correct me on this point.

On this scheme, which has people from a number of tribes, it is very uneconomic and very unhealthy and those who are detainees have very bad health. I am glad that there are one or two on the Government side who are detainees. The conditions in the scheme which is being carried out are so poor that I would recommend to the Government now to close it down because it is producing nothing. It is not increasing the income of any person living in that scheme. I am glad that some Members on the Government side have taken the initiative (okay for the first time to point out that the land settlement schemes throughout Kenya need a complete review. On this scheme they plant cotton. I do not expect anybody to eat cotton and I do not think any person would do so. When a person is asked to plant 1½ acres of maize he gets only two bags, how is he going to feed on this for twelve months? I wonder whether the Minister for Lands and Settlement would answer that question.

The person who comes from Nyeri and settles in the Tana River District today he has not got any shops anywhere to buy anything and he is expected to live on two bags of maize which he gets every twelve months. I wonder whether this is not exploitation.

I thought that now when we have African Ministers for the first time taking part in the Government the whole system was going to change, but it has not done anything. Last year when the fee was decreased to Sh. 800 I thought that this amount was going to be decreased further, but it is surprising that on 2nd July the tenants were asked to pay the same amount that they paid in 1961. Whether it is this Government which has decided that or not I do not know, but it has—whether it is this one or the former Government—I and I ask the Minister for Lands and Settlement to look into this matter.

[Mr. Kase]

Another thing is this. We have this survey taking place on the Tana River. I am very sorry to say to the Government today that three-quarters of the area on which they are doing the survey is useless and it is a complete waste of money, for the simple reason that the area on which they are hoping to plant cotton in the next two or three years, has the same bad soil on which the people are today digging. The crops for 1962 were less than those for 1961 which, according to the local tenants seem to be going down every year. No fertilizers are put into the soil. I do not know how these tenants are expected to live; I do not know how these tenants are expected to increase their income. If this is what is going to happen, like what happened during the imperialist time, then we had better not blame the imperialists. They were as bad as our present Government. If the African Government is not going to change then we had better have the imperialists. Some of them have had better help to us, and I think it is time for them to find out that they have to change their ideas.

As has already been recommended by the Leader of the Opposition, if the Minister for Lands and Settlement could advise these surveyors to go on to the lower half of the district and survey the land there where the soil is very fertile, it would be saving Kenya's money. But by doing it on the place where they are doing it at present, I am afraid to say that, instead of increasing or saving the Government's money, they are going to waste it and then continue saying that they have no money. Why is the money being wasted unnecessarily? I do not see why the Government cannot contact the local people and find out where the better soil is. We have a manager now—I think he is called Galololo—who can produce anything. He has two land-rovers for himself but a normal person has a village bus. I do not know where he gets this from. He has no proper village or house. He is living with his roof completely open and, I challenge the Minister to go and see this if he does not believe what I say. For these houses which are completely empty, as I told you, with the sun and the rain coming in, the tenant is asked to pay a rent of Sh. 100 every month. It is famine on an economic basis. When I was talking to the manager he said, "That is your Government." I wonder whether the Minister for Lands and Settlement is going to do anything about this, and if he does not, I will ask the Government now if that sixty-nine per cent of the people have decided to evacuate the scheme. If the local people of the area have been given bonds, they

are now prepared to remove those bonds because they are proving uneconomic.

I am glad that the scheme did decrease the amount of unemployment but on the basis on which it is being carried out it is very uneconomic. I think therefore the Minister for Lands and Settlement should try to review this situation, lower the fees, let every person digging know that he is benefiting. It is useless to send people to a place from which they are not going to benefit at all. I have no experience of other places or other schemes, but I have been once, by chance, around Mwea. Either there is some favouritism in these schemes or something else happens. The conditions at Mwea are ninety per cent better than those at Galole. I do not know whether these things are carried out on a favouritism basis, but if they are, then I do not think the African Government is treating every African fairly. I hope the Ministry will try to put everything right. It is not that I am trying to disagree with the Government because I am in the Opposition, not at all, but I think this is the right of every person, especially now, that Independence is coming, because he thinks that when Independence comes he will be better off, but then he finds that he is exploited more than the normal person is. What is happening with the present policy is that we are going to have two classes in Kenya: the very rich and the very poor. We do not want that to happen. If there are going to be two classes there, then we had better let the Europeans stay where they are in the Rift Valley. We want complete uniformity.

What I am really trying to put forward to the Government is that they must provide the money. I say must because it is their duty, it is no use blaming the people for *Majimbo*; it does not help them. If they say, "we need money now" to get the Tana Irrigation Scheme to my region," the Government should provide the money for the region to carry out that scheme. If they think that they cannot get the money, then let them get their own ways of finding the money.

This is something which should not come into the *Majimbo* constitution; I do not want to go into that because I think the hon. Prime Minister signed that constitution. I do not want to go back to the constitution. I am speaking on land settlement.

I have recommended to the Government that they had better carry out a survey in the lower half of the district, instead of carrying it out where they are trying to carry it out now, and to review the situation in the Tana Irrigation Scheme. In the new Scheme we are not prepared to accept people from other places, while the

[Mr. Kase]

local person there is not getting any benefits. What happened in the old Irrigation Scheme, at Galole was that people were brought from outside. While the local person from Tana River is still under the subsistence agriculture, if they take somebody there, they make him better than what the normal person there is, or was. We want, if the position of every person is going to be improved, to begin to settle the thirsty person who was found there, not to bring in people because they do not have land at home. They can decrease their population if they like.

I hope, with these few remarks, the Ministry is going to do something to better especially—and I mean especially—the Tana Irrigation Scheme or close it down; we do not want it.

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): Mr. Speaker, Sir, I rise to support the Motion.

Mr. Speaker, Sir, I want to draw the attention of this House to the seriousness of the situation in the Rift Valley, where mass dismissals—

An Hon. Member: On a point of order, Sir, if the Opposition benches are running out, what will happen when we are faced with the situation where we have nobody on the Opposition to join in the debate?

The Speaker (Mr. Slade): There is no reason why a debate should not continue in the absence of all Opposition Members. It may be that hon. Members on the Government side are interested in this. Indeed, it appears that they are very interested. Of course, if any hon. Member thinks that the debate has run its course, through lack of interest on the Opposition side, it is always open to him to move the closure of the debate.

Mr. Kiprotich: On a point of order, this matter is very important to most of us on this side who are representing constituencies which are faced with this problem of settlement. I would like to know whether all the Members of the Opposition, who have been making allegations, have been there to see for themselves how these people are suffering.

The Speaker (Mr. Slade): I think it is in order for hon. Members in the course of debate to comment on the absence of any of the Opposition, or of the Ministers, but no hon. Member can be compelled to attend this House on any occasion.

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): Mr. Speaker, Sir, I was speaking of the evictions and dismissals in

the Rift Valley. The white settlers are responsible for the landless masses we have today. Already there are over 12,000 landless or jobless in the Rift Valley. Much has been said in this House but I think the settlers—

Mr. Kiprotich: On a point of order, Mr. Speaker, can the present speaker substantiate whether the settlers are concerned with these dismissals?

The Speaker (Mr. Slade): I do not know what you mean.

Mr. Kiprotich: He is alleging that the white settlers are connected with the present evictions on the farms. Can he substantiate that point because I know myself—

The Speaker (Mr. Slade): You cannot make a speech.

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): I can do it a hundred times. I know that they are responsible and I was trying to tell the House the reason why these people are doing this, they are doing it on political grounds. First of all, they have farms which they would like to sell to the Government and when they see that there is nobody who wants to buy them, so they evict and dismiss their employees in order to create a landless population. If they do this the Government may be compelled or persuaded to buy their land.

The Speaker (Mr. Slade): That is a serious allegation and you must substantiate it.

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): Mr. Speaker, Sir, I can substantiate this allegation and I know that everybody in this House will bear me out.

The Speaker (Mr. Slade): Can you substantiate it now and state the evidence on which you base your statement?

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): Already there have been many evictions in the Rift Valley and these employees have sometimes been dismissed without reason. If given time I can produce the reasons for these—

Mr. Kiprotich: On a point of order, Mr. Speaker, if the present speaker would not use the word "white" and only use the word "settlers" then I will also know that he means not only white settlers but black also, and I can produce the evidence—

The Speaker (Mr. Slade): I do not think that is a point of order, Mr. Kiprotich.

Mr. Kiprotich: It is, Sir, because he is only talking of white settlers.

The Speaker (Mr. Slade): It is not a point of order, and I am still waiting for a substantiation from Mr. Kubai. He must produce evidence to justify his serious allegation of the behaviour of these farmers. If he cannot produce it now, he must withdraw his statement.

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): Mr. Speaker, I would like to be given time to bring all these facts to the House because I know, and everybody knows, that these people—

The Speaker (Mr. Slade): Mr. Kubai, you must substantiate your statement, and if you cannot you must withdraw your allegation, at any rate until you are in a position to substantiate it.

The Parliamentary Secretary for Labour and Social Services (Mr. Kubai): Mr. Speaker, I think I will bring this to the attention of the House later on and in the meantime I withdraw my allegation.

Mr. Speaker, Sir, there are farms which have been mentioned by the hon. Member for Nyari-

bari, and these are transit farms. I think these farms are not running according to their original purpose and they are now being kept as a labour pool so that European settlers can get cheap labour. I would like the Minister for Lands and Settlement to examine these transit camps because there is a lot of dissatisfaction among the people who are waiting to be settled. Sometimes they are kept there with the hope that they will be resettled somewhere or that they will be given settlement somewhere but they find they are picked for jobs on European farms. When they go to these European farms they are given hard work, and sometimes they cannot complete their task and they are dismissed. Then they are not taken back into these transit camps and so they find themselves on the streets and railway stations and so on. Therefore, I think the Minister for Lands and Settlements should go through these troubles and find a solution.

I do not want to take more time because much has been said about land settlement and I do not want to take up the time of the House. So, with these few remarks I beg to support the Motion.

The Speaker (Mr. Slade): It is now time for the adjournment and so the House is now adjourned until Tuesday, 9th July, 1963, at 2.30 p.m.

The House rose at thirty minutes past Twelve o'clock.

Tuesday, 9th July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

The Books and Newspapers (Amendment) (No. 2) Rules, 1963.

(By the Minister for Justice and Constitutional Affairs (Mr. Mboya))

Report on Kenya Fisheries, 1962.

(By the Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek) on behalf of the Minister for Natural Resources (Mr. Singini))

The Hides and Skin Trade (Imposition of Cess) (Amendment) Rules, 1963.

(By the Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) on behalf of the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

NOTICES OF MOTIONS

AGRICULTURE (LAND UTILIZATION) (FARM EMPLOYEES) RULES, 1963: ABOLITION OF

Mr. Ngugi: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to amend the Agriculture (Land Utilization) (Farm Employees) Rules, 1963, published in Legislative Supplement No. 18 of the *Kenya Gazette* dated 9th April, 1963, under Legal Notice No. 217.

REVIEW OF PENALTY FOR ROBBERY, HOUSE-BREAKING AND STOCK THEFT

Mr. Okwanyo: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

— THAT in view of the continued prevalence of serious crime, this House urges the Government to review the penalty for robbery, house-breaking and stock thefts by doubling the punishment or even considering the necessity of recommending the imposition of capital punishment.

SABAOTS TO BE ADMINISTERED BY TRANS NZOIA

Mr. Chepkikat: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the hereditary and customary differences between the Sabaoi and Bukusu peoples, this House is of the opinion that the Sabaois should be administered in Trans Nzoia and not in Bugoma District.

ELECTION OF CHIEFS AND HEADMEN

Mr. Gaciatia: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in the opinion of this House, chiefs and headmen throughout the country should be elected and not appointed by district commissioners or district officers as heretofore.

ORAL ANSWERS TO QUESTIONS

Question No. 27

KENYA STUDENTS IN IRON CURTAIN COUNTRIES

Mr. Gideon Mutiso asked the Minister for Education:—

How many Kenya students had already gone behind the Iron Curtain?

How many had completed their studies and returned home?

Had they been given equal opportunities in the service of this country as other students from the United States of America or the United Kingdom?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I beg to reply. There are approximately 400 students from Kenya who are studying behind the Iron Curtain. I am not able to give an accurate figure because we have no record. You will be aware that it is impossible for us to know exactly who has left the country as many students left by various ways, without the consent of the Government and without passports. It is not possible, therefore, to give an exact answer.

To the second part of the question, Mr. Speaker, the answer is twenty.

To the third part of the question the answer is yes, Sir.

Mr. G. Mathos Arising from the reply, Sir, would the Minister tell this House out of the twenty students who have come back home could we be told what type of posts have been allocated to them in the Kenya Government, because we understand, Mr. Speaker, that already some missions have been—

The Speaker (Mr. Slade): I think you must stop at your question, Mr. Mutiso. Mr. Otieno will give the answer.

The Minister for Education (Mr. Otiende): Mr. Speaker, as I have said, of the twenty who came back only two are known to have been employed by Government, one as an engineer and the other one as a doctor. I have no records of the others.

Mr. Ngugi Mr. Speaker, would the Minister tell us what courses of study the twenty students who have returned took. Did they specialize in Marxist ideologies?

The Minister for Education (Mr. Otiende): Mr. Speaker, I am not able to give the information which the hon. Member wants because up to the present nobody in our Ministry has had the authority of Government to keep records of these, and the information I am giving now is information I found out myself. As far as these people are concerned, they have not come to us for jobs. Those two I have mentioned are the only ones who came up with qualifications which were recognized by this Government.

Mr. Ngugi Mr. Speaker, Sir, could the Minister give any assurance to the House as to whether in future he intends to arrange for proper records of these students who go overseas behind the Iron Curtain to be kept?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I can give an assurance on behalf of this Government that records are already being kept.

Mr. Ngugi Mr. Speaker, Sir, I thought the Minister just said two minutes ago that there were no records, but now he has said that there are being kept. Mr. Speaker, Sir, having said that records are being kept, can the Minister give a breakdown of the 400 students as to how many of them are in Bulgaria, East Germany and Poland at the moment?

The Minister for Education (Mr. Otiende): As I said, Mr. Speaker, we have started to keep records. I can give every breakdown which is required now, since 1959. In Yugoslavia we had four students in 1959, fourteen in 1960, thirteen in 1961, and ten in 1962; total, forty-one. In Czechoslovakia we had a total of fifty-eight; one in 1959, four in 1960, twenty-four in 1961 and twenty-nine in 1962. In East Germany—the German Democratic Republic—we had one in 1958, five in 1959, nine in 1960, seventeen in 1961 and two in 1962; total, thirty-four. In the U.S.S.R., in 1960 we had nine, in 1961 twenty, in 1962 fifty-seven; total, eighty-six. Do you want the figure for the United Arab Republic?

Hon. Members: No.

The Minister for Education (Mr. Otiende): In Rumania in 1962 we had four, in 1963 we had nine; total, thirteen. In Hungary in 1954 we had one, in 1959 one, in 1961 one and in 1962 twelve; total, fifteen. In Bulgaria in 1961 we had thirteen, 1962 seventy; total, eighty-three. In Poland we had thirteen, in 1961 there were six and last year seven. That is all the figures I have, Sir.

Mr. Murgor: Mr. Speaker, Sir, would the hon. Minister tell us how many out of the 400 are taking military courses?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I do not think there are any universities in which military training is a subject, and I can assure the House that none of these students I have mentioned is taking military training at the moment.

Mr. Ndile: Can the Minister for Education tell us whether he recognizes Russian degrees?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I think this is a good opportunity to explain. I think the time has come for us to change our attitude to academic qualifications from countries other than Britain.

Mr. Somo: Mr. Speaker, Sir, could the Minister tell us what kinds of subjects they are taking?

The Minister for Education (Mr. Otiende): It is very clear, Sir, that they are taking normal subjects, the same as students take in East Africa and in America, there is no difference at all. From today onwards when students go to these countries we will know what they are going to study.

Mr. Khasakhal: Mr. Speaker, Sir, the Minister told the House that two of these students have been employed. Could the Minister tell the House what plans he has for the eighteen who returned and are not employed by the Government?

The Minister for Education (Mr. Otiende): Mr. Speaker, as I said, as soon as I get their records I will be able to do something for them, at present I do not know what they are doing.

Mr. Ngugi Mr. Speaker, Sir, can the hon. Minister give us the assurance that as from today students going overseas, behind the Iron Curtain, will be dealt with as any other students going overseas?

The Minister for Education (Mr. Otiende): In case my hon. friend does not know, that is already being done.

Mr. Murgor: Would the Minister assure this House that the first operation done by this doctor from Russia is done on a Minister?

Mr. Mutiso: Mr. Speaker, Sir, arising from the hon. Minister's reply, we are told that the Government recognizes Russian degrees, could the Minister, in view of the fact that there are Kenya children who lack education, consider a mission—similar to that considered by the Ministry of Agriculture—to explore the possibilities of sending students to Russia and other countries?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, the hon. Member can rest assured that this Government is going to make the sending of students to various countries regular.

Mr. Khasakhal: Mr. Speaker, Sir, could the Minister assure the House that the students who like to go to the Iron Curtain countries can now get passports without question?

The Minister for Education (Mr. Otiende): Yes, Sir.

Mr. Ngugi Mr. Speaker, Sir, out of the 400 students that have gone behind the Iron Curtain, can the Minister tell us whether it has been necessary to repatriate any of them before the completion of their courses? If so, on what grounds and who paid for their repatriation?

The Minister for Education (Mr. Otiende): Mr. Speaker, some time ago I think I answered a similar question to this one, but for the benefit of the hon. Member I can assure him that we have repatriated no one at Government expense, and I hope we shall have no reason to repatriate anyone, unless, of course, he misbehaves in the country where he goes. So far we have repatriated no one.

The Speaker (Mr. Stado): I think we have given that question a long enough run now.

Question No. 28

CLOSURE OF GIRLS' MEDICAL TRAINING SCHOOL, MACHAKOS

Mr. Mutiso asked the Minister for Health and Housing: Will the Minister tell the House why the Medical Training School for Girls at Machakos Provincial Hospital had been closed down?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply as follows:—

In keeping with my Ministry's emphasis on training, I am glad to inform this House that

there is no intention of plan of closing the Enrolled Nurse Training School at Machakos.

The position, Sir, is that we have had difficulties in recruiting a sufficient number of girls with adequate educational standards willing to be trained as nurses at this school. On the girls' side we have only had seven, and on the residential accommodation for thirty-two students, sixteen boys and sixteen girls. The plan, therefore, called for transferring these seven girls to the Medical Training Centre in Nairobi, so that all thirty-two positions in Machakos could be used for training boys who are willing, ready and available.

Mr. Khasakhal: Mr. Speaker, Sir, could the Minister consider getting girls from other areas in Kenya and taking them to Machakos, if there are not enough girls in that area?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, we recruit from all over Kenya.

Mr. Ngugi Mr. Speaker, Sir, I would like to ask the Minister if he knows that one of the reasons why the girls are not being encouraged is because of the current measures that have been given to these trainees? Would the Minister tell us about that?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, we keep the usual nursing standards of training in this training school and we cannot change that.

Mr. Shikuku: Arising from the reply, Mr. Speaker, Sir, is the hon. Minister aware of the fact that there is hardship in other medical training schools, such as at the training school at Nakuru and the one in Eldoret?

The Speaker (Mr. Stado): We are only dealing with the training school at Machakos.

Mr. Shikuku: Arising from that, Mr. Speaker, Sir, he says that there are not enough students to take training at Machakos, but there are students in Nakuru and Eldoret who would be able to go to Machakos.

The Speaker (Mr. Stado): I do not understand how it is relevant.

Mr. Shikuku: It is relevant in this respect, in that though there are not enough students available to the Training School in Machakos there are students in Nakuru and in Eldoret who are being kept behind because there are not schools for them.

An Hon. Member: On a point of order, is it in order for the hon. Member to ask a different question other than keeping to the question of Machakos?

The Speaker (Mr. Slade): I was inquiring whether the supplementary question was relevant to this question because, as you suggest, irrelevant questions cannot be allowed, but Mr. Shikuku has explained that his question was relevant as he was suggesting that there is an overflow of girls in other schools who could be accommodated in Machakos. It is, therefore, relevant.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, there are several other schools, particularly in the area that the hon. Member opposite me mentioned. At Nakuru we have one that takes 57 girls as students. We have some others, also, in the Rift Valley, such as Kapabet, Eldoret, Kitale, Kericho and Narok, and there is still room to take in many more students in those schools.

Mr. Khasakhal: Mr. Speaker, Sir, the Minister having replied to my supplementary question that he would recruit students from all over Kenya, could he assure me that if I brought in 50 girls who had passed their K.A.P.E. on my constituency or from Western Region, he would take them into this training?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I would say that there are channels through which this can be done and I would be very happy to take these girls as long as they are willing to be trained.

Mr. Mutiso: Mr. Speaker, Sir, is the Minister aware that in the whole of the Southern Region the Machakos Provincial General Hospital is the only general hospital we have? Instead of allocating only thirty-two chances for training people—

The Speaker (Mr. Slade): What is your question Mr. Mutiso?

Mr. Mutiso: The question is this, I would like to ask the Minister if he will make more room for training students in that hospital, that is more than thirty-two?

The Speaker (Mr. Slade): You want accommodation for more students?

Mr. Mutiso: Yes.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, the hon. Member is not very well informed. We have some other training schools in the Eastern Region, one at Chogoria, which is non-Governmental, and there is another at Nkubu—which the hon. Member knows very well—and there is another at Embu and another at Kitul.

Mr. Ngala: Mr. Speaker, Sir, could the Minister explain the reasons why he has chosen to remove the girls from Machakos to Nairobi instead of the boys, because I understand—

NOTICE OF MOTION ON THE ADJOURNMENT

ARRESTS OF WOMEN IN NAIROBI

The Speaker (Mr. Slade): I think the Minister has explained that.

I have to inform hon. Members that I have received notice from Mr. Shikuku of his desire to raise on an adjournment the matter of assaults and unlawful arrest of women in Nairobi and I have allotted tomorrow evening at the close of business for that matter to be raised. As is customary, the description of the matter is very brief, but I think hon. Members are aware what it is about. As a matter of courtesy, Mr. Shikuku should tell the Minister concerned precisely what he does want to raise.

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 19—MINISTRY OF INFORMATION, BROADCASTING AND TOURISM

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
(Resumption of Debate interrupted on
2nd July, 1963)

Mr. Pandya: Mr. Speaker, Sir, I would like to congratulate the Minister for the excellent manner in which he presented his Vote. I think the Government and the Members opposite should take note that we do show our appreciation where it is deserved but there are certain aspects of criticism of the Ministry which I would like to raise under this Head.

The Minister referred to the work of the Provincial Information offices and said their sole purpose was to project the policy of the Government. While appreciating that point, Sir, as the Minister well knows, we have got a regional pattern of administration and I think there would be great necessity for co-ordination in the work of the Regional Assemblies and the Central Government so that the Provincial Information offices are able to carry out their duties very efficiently. Now, Sir, if I may give an example, recently in the Coast Region there was a difference of opinion between the Regional Assembly and the Central Government over the question of school holidays. I would like to know, Sir,

[Mr. Pandya]

whether the Minister would consider it right to give this publicity to a school holiday that was declared by the Coast Region. There would be many other cases where there would be a conflict of opinion. I think when the Minister replies we would like to know further what co-ordination, what plans for co-operation, he has as between the regional governments and the Central Government and the work of the Provincial Information Office. Now, Sir, much has been said, about the role of the Kenya Broadcasting Corporation and I particularly remember the Minister for Justice in his great style of oration putting points of view, with many of which I agree, of emphasizing the fact that the Corporation must put to the people the image of Kenya, that we must emphasize problems of national unity and the development of this country into one nation and that facts must be put before the public. He then went on to say that there must also be a creation of an attitude of mind. Now, I would like to know, Mr. Speaker, what does that really mean? Does he mean that he wants to mentally indoctrinate people with one point of view or does he mean that the facts must be put to the country and then let the people judge for themselves? In his great style he also mentioned that if necessary he would like the Government to have control of the Kenya Broadcasting Corporation. Now, Sir, this is a point on which I would very strongly differ from him and this is why we, on this side, have been saying time and time again that we want a Board of Directors of people who have knowledge of information and broadcasting, but people who are independent and impartial and we want these people to act in the interests of the country as a whole, to allow other people to put forward their point of view and to then leave it to the people to decide which point of view is acceptable to them. It is not necessary to develop a particular attitude of mind or trying to force people to say that this is the attitude which they should develop. I want, Sir, when the Minister replies to have an assurance from him that when we, in the constant that I have related, emphasize that we really mean the Corporation and its Board of Directors to be independent and impartial. We are suspicious of the Government's policy for this reason, that the Minister who has just come in said the other day that if necessary they would like the Government to take over the Kenya Broadcasting Corporation. The Leader of the Senate also speaks in the same way. It is therefore necessary, although I think the Minister for Information did say when he introduced the Vote that he would like the Kenya Broadcasting Corporation, although consisting of politicians, to

project a point of view which is acceptable to the people or which is fair to all, and I would like his assurance that the Board will remain impartial and independent of any particular pressures of the Government.

Now, Sir, I would like to refer to a matter that has been engaging the attention of the Press recently and that is with regard to the television service of the Kenya Broadcasting Corporation. I acknowledge the fact that in the English section many improvements have been suggested, but I want to refer very briefly to the complete withdrawal of the Armchair Cinema. Although I have seen today in the Press that the Director-General said that there will be a possibility of reviving this programme, I want to go further and say that when this cut was originally brought about I think the reasons given for cutting it out altogether were very flimsy and totally without taking into consideration the feelings of the Asian community. Now, it is true that when this programme was introduced we condemned it because the quality of the material that was given to the public was very poor, and indeed it projected not a correct appreciation of the culture that it was necessary to convey to the people in this country. Since this criticism was levelled against the Kenya Broadcasting Corporation there has been some improvement in the programme that was provided, but Sir, just because there was criticism from the community does not mean that the programme should be completely withdrawn, but that an improvement should be effected and that better programmes should be given for the people who have enjoyed it week after week.

Probably the Minister, when he replies, will give an assurance that it is intended to substitute better programmes for this programme. Sir, there was a decision to standardizing the programmes generally in English and Swahili. I do not want to take up the question of in which languages we should have programmes, but Hindustani was one of the languages which was provided for under the Act and without regard to the feelings of the people who have been using medium, completely without any notice to bring about changes and to say that from next week this programme will not be on. I think is taking, if I may say so, Sir, a very dictatorial attitude.

There is another aspect of this, Mr. Speaker. It was said that it had no cultural value, but I wish to emphasize that, composed as we are in this country of people of different races and origins who have made this country our home, I think there is much to be learnt from each other, and I believe these programmes were performing a very valuable cultural service to all the people.

[Mr. Pandya]

I think, for instance, Asian music has penetrated and soothed the ears of many of my African and Arab friends, and many of them appreciated it more than many of the Asians probably. I want to say this, Sir, that all the people in this country have something to contribute culturally to other people and just to withdraw a programme, for very flimsy reasons, as I say, without any due regard to the feelings of the people, people who have made this country their home, and to withdraw it at all, is, in my opinion, is very highly objectionable. If this is the attitude of the Board of the Kenya Broadcasting Corporation, then I certainly feel that it should review the whole matter again.

However, as I said, Mr. Speaker, I am glad that the Director-General in his enthusiasm over the job has now promised to look into the matter and probably just reinstate this old programme, but I do not want this particular programme to be revived, I want better programmes to be substituted for it, programmes which are in the interest, not only of the Asian community but also that people of other races may appreciate these programmes to the best advantage, and thus try to bring unity and understanding of the cultural heritage of all the people who live in this country.

With those words, Mr. Speaker, I would like to support the Motion.

The Parliamentary Secretary for Labour and Social Services (Mr. Odoro-Jowd): Mr. Speaker, Sir, I would like to thank the Minister for Information, Broadcasting and Tourism for the very positive way in which he presented the Estimates to the House the other day.

Mr. Speaker, Sir, I would like to begin with tourism. I think tourism is one of the greatest potential money-makers of this country. I think if we carefully preserve our animals and other natural resources, very soon it will be possible for this country to earn much more foreign money than we are doing now. There are certain aspects of tourism which have not been exploited, Mr. Speaker, and I would like to bring the following to the attention of the Minister for Information, Broadcasting and Tourism.

First, there are numerous beautiful areas on Lake Victoria, especially around places like Homa Bay. These areas are beautiful to visit and are good places for week-end resorts and things like that. There are wonderful beaches around for those of us who like swimming, and I would like to see our Government advertise them and bring them to the notice of the various tourists who come to our country.

Mr. Speaker, Sir, there are also isolated pockets of game, like in the Lambwe Valley, all over the country. I know that, there are various places which have already been declared National Parks, but I think for the benefit of the people in the rural areas some of these isolated game pockets should be protected, so that our people do not have to travel a long way to see a lion, because lions are close by. I think these will come a time when a lot of these animals will disappear and the sooner we begin protecting the little game we have in isolated places the better.

Mr. Speaker, Sir, I would like to thank the Minister for the way in which he outlined the role of the Kenya Broadcasting Corporation. There has been a great deal of criticism from the other side. The Opposition has been complaining that the Government is going to control the Kenya Broadcasting Corporation. They have been telling us that they would like to see the Corporation controlled by an impartial body. I would like to point out, Sir, that in a young country like Kenya there is a great need for informing the people correctly. I agree with that, but there is also a great need to educate them. Mr. Speaker, Sir, when our Government took office our Prime Minister came forward with a very topical slogan for unity, and I would like to see this understood. I think the moment we begin teaching our people through the Kenya Broadcasting Corporation and other media of information about unity, about the philosophy of *Karambe*, as outlined by our Prime Minister, the better for the people and for the future of this country. They, the Opposition, should not complain, nor say that we are brainwashing our people, because this indoctrination is necessary. When it comes to the matter of the Kenya Broadcasting Corporation, Mr. Speaker, I would like to see our people indoctrinated as soon as possible. Mr. Speaker, Sir, the first thing we need to achieve together is unity of purpose. We would like to see our people move forward together and to co-operate in order to develop this country. Because I believe that this is so vital, I would like us to direct the Kenya Broadcasting Corporation to emphasize those things which unite rather than broadcast and propagate what the Opposition believes to be their right to preach autonomy, *Majimbo* and all the other divisive philosophies.

Mr. Speaker, Sir, we also need to inform our people about what the Government is doing. Right now we have a lot of people swindling our people in the rural areas, telling them exactly the opposite of what the Government is doing, sometimes telling them that the Government is doing nothing, whereas it is working very hard. I would

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like to see more material disseminated and produced for the information of our people, so that they know what their own elected Government is doing. I think this is necessary and it is imperative that their opinion is channeled in the right way. Of course, I would not like to see our Government controlling information and broadcasting. I would like to see the Government giving the Kenya Broadcasting Corporation enough freedom to air the views of the other side of the house, but I think it is only right that the opinions they are advocating should be controlled when they are in direct conflict with what we believe to be in the best interests of the country. Mr. Speaker, Sir, I would like to see this Government use the Kenya Broadcasting Corporation more and more to keep us in touch with the rest of Africa. For a long time we have been isolated from our neighbours, and I think it would only be right if through the medium of the Kenya Broadcasting Corporation we could get in touch with Uganda, much more closely and with Tanganyika, and also with countries like Ethiopia.

Mr. Speaker, Sir, I think the Minister for Information, Broadcasting and Tourism did very well when he told us that he would like to see the Press enjoy some freedom, but I think that freedom for the Press is not what the Opposition believes to be the kind of thing they advocate. I believe the Opposition thinks that the Press here in Kenya should be given as much freedom, say, as the Press in Britain.

There is a big difference between this country and Britain, Mr. Speaker, and if the Opposition are only interested in copying what is happening in Britain I think they are doing the wrong thing. The public in Britain are well informed whereas the public in Kenya are not and the freedom of the Press in Britain cannot be expected here. The Press here must be more positive and they must sympathize with the very real problems of their own, and here I must say, we must not as we do not want to be criticized unfairly, Mr. Speaker, Sir, with this I would like to support.

Mr. Agari: Mr. Speaker, to support the Vote which has been presented by the Minister for Information, Broadcasting and Tourism, I want to add a few suggestions to the Government on the propagation of the attractive aspects of our country, to the outside world; so that they can come here. We have seen the ways that other countries promote tourism, they make things look so beautiful when you see pictures of them. I would like to suggest to the Information and

Tourism Department to advertise Kenya more than is being done at the moment. To draw beautiful pictures of game, places and beaches, to show them in the cinemas, newspapers, on postcards, and other things which can be sent to other countries through the airlines and so on. In that way, I think, more people will be attracted to Kenya, also, the Government should endeavour to present Kenya to the world in such a way that travellers from various countries will feel that it is no longer a place where you expect to find gangs, pickpockets, and so on. Such things will help to attract tourists.

In regard to places of resort and attraction to the tourists, Mr. Speaker, we have a place in South Nyanza at Homa Bay where the district headquarter has been built. There is a beautiful bay and some hills near the lake. I am glad to say that the Prime Minister once had a cruise in a motor-boat and saw the beauty of the place. There are no longer any crocodiles, so nobody should be afraid. Of course, Mr. Speaker, mosquitoes are no longer a very big problem because we have mosquito nets and also antidotes for malaria. I think that part of the country, Homa Bay, the hills around the bay and the beaches will be a very useful place. A tourist lodge could be built there, game is there, and I am glad to see that the Government is taking steps to surround the place so the game will be protected and tourists will be able to see it.

Another aspect of this Vote that I want to speak about is the Department of Information. Mr. Speaker, as other speakers have told, the Opposition particularly, that there is an extent to which you can allow information, partly controlled by the Government like Kenya Broadcasting Corporation, to go to. We cannot say that our Kenya Broadcasting Corporation should achieve the standard of freedom in France, Britain or the United States, but again, even when I hear the radio stations in this country, from America, I can particularly hear that each Government is anxious to see that certain things that they want the country to understand, are emphasized. As a matter of fact, at the moment in the East and West, no radio will praise Russia in the West or praise America in the East, which means nearly the same thing. We cannot be over-liberal and allow our country to be confused. When we say our people are not so advanced as to be given everything to judge for themselves, we do not abuse them or say that they are ignorant, but it is quite easy for somebody to go to his own particular tribal area and to begin twisting certain things which the Government is doing or trying to do for the country, they appeal

[Mr. Agar]

to them on tribal lines just to gain local popularity. In this way the Government must be vigilant and suppress certain confusing information. They must promote those which will encourage unity, desire and enthusiasm of the people to develop the country and to join the Government in the task of uniting the country.

With those few remarks, Mr. Speaker, I support the Vote.

Mr. Oloitiptip: Mr. Speaker, Sir, I support the Budget presented by the Minister for Tourism. I have a few comments which I would like to make before the House. Mr. Speaker, Sir, I am going to start with tourism.

Most of the people here have been saying that the wild game should be protected for the interest of Kenya as a whole. This, I quite agree with, but I think my friends on the other side of the House are very ignorant of what damage the game is causing to some people in Kenya, particularly the Masai. The people in Kenya, especially the Masai, are very concerned with the game. Take for example, the Olukai Lodge, Kekorok Lodge, Nairobi Park, Tsavo Park and Samburu Game Reserve. These parks are within the land of the Masai people, and the game are causing us a lot of damage. They kill day and night people and cattle, they spread diseases to our cattle, and at the same time, Mr. Speaker, they distract our workers, therefore, although I know it is very essential for us to protect the animals, they are too destructive to the Masai people. The Government, so far, have not taken steps to see that these people are secured from animals who are always killing and spreading diseases all the time, and who are causing such harm to the tribe concerned. Therefore, Mr. Speaker, because my friends say they know now, I would like to tell them that the Government should have known before, not now.

The Government, as we have said, has been here over a month, and they should have known all these things. Now we are teaching them something. Therefore, Mr. Speaker, I do not really propose that we should not have game in the country to attract tourists. I support that, but I should like the Government to consider the human life first, then the money which they attempt to attract from overseas. Mr. Speaker, I would like to suggest that Government or I, Minister concerned gives this House assurance the now that steps are going to be taken to see that these animals are going to be put in one place, the Nairobi National Park, and bring all the animals from the Masai reserves, so that the

tourists can only go to one place to see the animals and take pictures. In that respect, we would not have animals outside our land and causing damage to our people and our domestic animals. At the same time, Mr. Speaker, I would like to say, that the tourists, when they come, they are not particularly interested in the animals, but in photographing the Masai.

I do not think the Masai are animals to be photographed, they are African Masai.

Therefore, Mr. Speaker, I would also like to say that the Government should see that although the tourists are bringing a lot of revenue to the Masai, they should not go into the Masai *manyattas* to photograph the Masai. This is something which we do not want to see happening again, Mr. Speaker. At the same time to educate them is a different question—

Mr. Kamau: On a point of order, Mr. Speaker, could the hon. Member tell this House what is wrong with the Masai being photographed by the tourists?

The Speaker (Mr. Slade): That is not a point of order.

Mr. Oloitiptip: Thank you, Mr. Speaker, I think that the hon. Member—who is a Kikuyu—would not like to see people going round his own reserve and photographing his people without their consent.

Therefore, Mr. Speaker, I would like to have an assurance from the Minister that such things will never happen again when these people come to our reserve; they should not photograph the Masai at all. If a Masai asks a tourist to photograph him then I have no objections, but for tourists to go into the reserves where the Masai live and to ask them to be photographed, I strongly object to that.

At the same time, Mr. Speaker, Sir, as I said, most of these animals are the consumer of grass and water. They get water from the wells on which we spend our money and they contaminate them. The Government must do something about this, and they must see that the people concerned are paid compensation for their wells, which they built themselves. As I have said, these animals kill our *ngombas* as well. Recently, Mr. Speaker, a Masai came from Loinitok to visit his relatives here and he was given seven head of cattle by his relatives. Unfortunately, when he was passing near Athi River seven dogs attacked him and ate all his cattle and so the poor man went home with nothing at all. Therefore, I would also ask the Government to set aside some money to pay these people compensation.

[Mr. Oloitiptip]

I would like to say, Mr. Speaker, that although tourism is a very important Ministry in Kenya with regard to the Masai people there is a great deal of suffering. I think that my friends who are Wakamba and live in Kitui—where there is also game—will support this. If this Government is going to be a constructive Government for the people of Kenya we should like to see that these things are dealt with for the interests of the people. We do not like to see people always after money from abroad while people at home are suffering.

I am therefore going to give the Government and the Minister and people concerned with tourism a warning to be constructive. We give them this warning. The Government should see that the Masai people and their cattle are secure. Everyone knows that the Masai are brave enough; they can kill lions and they do not care about rhinos and elephants and if the Government does not help us soon they will find that there are no animals in Kenya.

With those few remarks, Mr. Speaker, I beg to support.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I would like to congratulate the Minister first of all and then I would like to add a few points to what my hon. friends have said in this House.

Firstly, I deal with information, Mr. Speaker, and I remember the Minister saying, in moving the Vote, that he was going to knock down the information office at Kisii and—if I remember correctly—and this is subject to correction—he said that he was going to move this office to the Eastern Region. I would have thought he would have said the Western Region because there is no information office there.

Another thing, Mr. Speaker, and I will be very short in saying this, is about the appointment of broadcasters, or announcers, on the radio, and I should comment on this. These people, the announcers—I do not know how they are selected—when they announce the news they do not know how to read it properly; that is some of them. People who listen to the news, etc., on the radio get very annoyed, and I am one of those people. I think the Ministry should be able to train these people properly before they give them programmes to read because a listener does not enjoy the radio when an announcer cannot read properly. I hope the Minister is going to go into this and is going to try and train these people before they announce the news.

Another point to do with information, Mr. Speaker, is about these magazines issued from the Ministry; I refer to *Pamoja* in particular and *Teach Yourself Citizenship*. I wonder if the Minister actually knows what happens to these magazines when they leave his Ministry. Some of them are wasted and I think he should get the administrators who receive these magazines to use them properly; and recently in this House we heard that the Ministry did not publish very much about the powers of *Majimbo* and the Central Government. I think it was given ample publication in the Ministry but the people who handle the publications do not issue them as they are supposed to do. I remember seeing a parcel of *Pamoja* arriving in a chief's *baraza*, and then the administrator handed this parcel to a butcher so that he could use the paper for wrapping meat. I think the Minister should go into this and warn the administrators about this so that the citizens of this country are given the chance to read these publications. If they gave those sub-chiefs and the local political officers publications to put in their offices they might let the citizens of our country read these publications and then they would learn what is happening in the Government.

I would like to say something, Mr. Speaker, about the photographs that I see in the Votes. The Minister should take this into account, that the Mobile Cinema Unit goes round and shows pictures all over Kenya. When this unit comes to my area—it rarely comes—it shows strange pictures which my people do not understand, and these pictures are taken in other parts of the country and that is why they do not understand. That is all right really, but pictures of local places should also be included in the films so that the people know that information covers the whole country and not just particular places. I think, Sir, that this point should be taken into consideration by the Minister so that when the unit goes to the Masai area it shows a bit about the Masai people in the film. If it goes to the Western Region it shows a bit of the Bunyala fishing should be shown in the film so that the people think that they are included and the Government has not forgotten them. I hope the Minister will take a note of that and recommend it be done.

I now come to tourism. My hon. friend—I do not know his constituency—Odero-Isiwa has commented on this and he is trying to encourage tourism in other parts of Kenya, too; there are places, Mr. Speaker, which have very good sites for building tourist lodges. Votes K and J in the Minister's Vote have under them a lot of money and when the Minister is allocating that money

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he should remember the places mentioned by my hon. friend, Odeero-Lowi, and he will be put in mind of opening a lodge in Bunyala at Bukoma beach on Mwita Jubu Hill. This place is quite a good site, one can see the whole of Uganda from it and also several other places because it is a high place and I think the people in that countryside will be interested in the tourists. The tourists will get bored coming to the same places year after year. I think there should be a change sometimes so that when a tourist comes he does not go to the same place all the time, he can go to another place altogether and find other things to see. Therefore, I think the Minister, when allocating the monies and try to put up tourist centres there so that these people are given the chance of going to new places and the people who live in these places can see the tourists. The tourists might even be able to help these people in their difficulties.

Lastly, Mr. Speaker, I would come to the point of information offices. I said earlier in my speech that the information office at Kisii should be transferred to the Western Region. If he does not want to move the information office from Kisii he should consider opening an information office in the Western Region and also in the other districts in that Region he should open small information offices. People could go into these offices and get records of what the Government is doing. The pictures that are taken by the Government Information Office should also be sent to these places so that people are able to see them.

With these few remarks—I do not want to bore the House because much has already been said—I beg to support the Vote.

Mr. Anyalen: Mr. Speaker, Sir, I also wish to thank the Minister for the way he presented his Vote. Even so, I would like to suggest a few things which I think our hon. Minister has ignored. I think this House is more or less agreed that we should not be hearing very much more about South Africa, but I find in the cinemas, and the papers and sometimes on the radio we are being told something in praise of South Africa. I wonder if the Minister could do something about it because we do not want to hear anything about South Africa.

I understand that the Minister intends to close down the Information Department at Kisii. I wonder if it is not proper, Mr. Speaker, Sir, for the Minister to consult the Kisii African Elected

Members, so that they can also give him their views on this issue, because we would like our people to be informed and if there is going to be a transfer of this body to another place, I think we should have known and we should have been acquainted with the change.

In view of the fact that there are school strikes in the country these days, I would suggest to the hon. Minister that a school broadcasting period should be allotted in the Kenya Broadcasting Corporation. The students are, I think, going on strike because they understand that Kenya is becoming independent, and they would also like to become independent, so the Broadcasting Corporation should allot a period during which the students will be given proper indoctrination in what they should expect in the days of independence and so they will not go on strike unnecessarily.

Mr. Speaker, Sir, from the Broadcasting Corporation every Sunday I hear *Sauti ya America*. I wonder, Mr. Speaker, Sir, if we could not hear something about, for example, *Sauti ya Ghana* or *Sauti ya China*, etc., some of these places where we have never been before. I would like to hear something from the undeveloped or from the slightly advanced countries, instead of hearing something from countries like America who are about 100 years ahead of Kenya. So I would suggest to the Minister that we should have *Sauti ya America* this week, next week *Sauti ya Ghana*, the week after *Sauti ya China*, and so on.

Mr. Speaker, Sir, on the radio we are always listening to what has been said in Nairobi, sometimes in Machakos and Mombasa, but we very rarely hear anything which was said by anybody outside Nairobi, such as in—someone is reminding me of Kisii, Embu or some place in the country. If the medium of news broadcasts by the Kenya Broadcasting Corporation is from the newspapers, I would assure the Minister that the papers do not have reporters in every district and I think the people in the country who own radios would like to know what is going on in the whole of Kenya and not only what is on in Nairobi.

Mr. Speaker, Sir, the hon. Mr. Osogo has just mentioned the incompetence or the inexperience of certain people who are broadcasting on the radio. Every time we have someone learning and then when he learns the job very well he disappears, and then we have got to bring in someone who will broadcast something and we do not even understand what he is trying to read. I wonder if there is not something minister goes

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on in the Kenya Broadcasting Corporation, so that as soon as a person learns his job he is discharged.

Mr. Speaker, Sir, there is another point I would like the hon. Minister to take into account, and that is in connexion with informing people and advertising jobs. There are jobs which are advertised, but I do not know through which media because recently, Mr. Speaker, there were more than a hundred vacancies in the Prisons Department and they were never advertised. I did not see them in the paper, or hear about them on the radio, and when I contacted the Commissioner of Prisons he told me that if they informed the country there would be too many people coming to apply for these jobs. Mr. Speaker, Sir, I wonder if the best way of getting the best people in jobs is to go around and whisper about them, which means that the only people who are going to be employed are the Nairobi people. I am hoping, Mr. Speaker, Sir, that when independence comes every tribe, every person in this country will be given a chance to apply for these jobs. I understand that the hundred vacancies were filled by people who have Standard VIII qualifications. There are so many Standard VIII people in the country, not only in the cities, and if it is going to become necessary for a person to move from the country in order to come to Nairobi and to know what jobs he can expect in Nairobi, I think we are going to have a lot of thieves here before they get jobs.

Therefore, Mr. Speaker, Sir, I would suggest to the hon. Minister that he should make sure that if any Minister of our Government has a job—a big job or even a small job—this should be either advertised on the radio or in the papers, and that there is ample time given for applications from the country.

Mr. Speaker, Sir, with those few remarks I wish to support.

Mr. Shikuku: Mr. Speaker, Sir, I beg to thank the Minister for Information, Broadcasting and Tourism, for having done all he could to give reasons for his Vote. Of course, I expected this comment because the House, as such, has to approve every Vote here. If it has to approve the Vote, views have to be expressed. During his speech, Mr. Speaker, Sir, he said that broadcasting was there as a medium through which the public would be informed, and it would create thereby a better relationship between the public and the Government. He went further, Mr. Speaker, Sir, to say that the Kenya Broadcasting Corporation will not be there to put across what is considered to be destructive. I do not know who

is going to be the judge of what is destructive; it appears that it is only the Government which can talk constructively and the Opposition are going to talk destructively.

Hon. Members: Yes, yes.

Mr. Shikuku: I hear most of the Members saying "Yes, yes", but if it is so, why is it necessary for the Minister to bring this here? He should have had a meeting of the Members on the Government side and get it going. If he does not realize the value of us on this side of the House, definitely the Minister is not all that irresponsible as to bring it into this House.

Here, Mr. Speaker, I think that we have to agree that the Kenya Broadcasting Corporation is here for the country and not for the Government. Once we agree on that, then it should remain impartial in the real sense of the word. I resent very strongly the views expressed in this House by hon. Members on the Government side that they would not mind even if the whole of the Kenya Broadcasting Corporation was run by the Government. They should be ashamed of that, because I and all the people who have elected me contribute to the Kenya Broadcasting Corporation and have the right to make use of it.

Mr. Speaker, Sir, the Government would never exist if there were no people. (The Ministers would not be what they are if there were no people, they would be Minister of whom? Mr. Speaker, some people to talk of majorities. They do not know that the majority cannot always be right. Therefore, I emphasize that the Kenya Broadcasting Corporation should remain impartial, unless the Government is going to prove to us the money being used to run the Kenya Broadcasting Corporation comes from the constituencies of the hon. Members on that side and not on this side. If it is going to remain impartial, it is going to help a great deal.

Already we have cases, Mr. Speaker, which do take place. I would quote one example: a Motion which was moved in this House in connexion with the people who are detained and who are to be brought to trial, as the Opposition demanded. This is something actually which I felt should have been given the widest publicity.

Hon. Members: Why?

Mr. Shikuku: Because the Members of this House had aired it and, above all, the public wanted to know why these people were there, but they did not have that chance. The hon. Minister for Justice and Constitutional Affairs stood up and told this House—I wish he was in to hear this—that the hon. Mr. Ngala had complained

[Mr. Shikuku]

about the Kenya Broadcasting Corporation treatment just because the Kenya Broadcasting Corporation had not taken the pains to sing his name. I know that hon. Member is a big twister and he can twist words—and he twists too—but this is not something to be twisted. Is it fair for talking and giving us records which sing of certain leaders here, and, if we raise it, for us to be told that it is because they have not sung about us? If the Kenya Broadcasting Corporation is for the country, then we expect the services to be impartial and for all and not for the hon. Mr. Ngala or for anybody else, but for the country, because the leaders come and go. What will you sing next? We read history, Mr. Speaker, and I profoundly believe that we must put the interest of the people first and not of individuals, because all leaders come and go, and the public remains. Therefore, we should treat this question of the Kenya Broadcasting Corporation as impartially as possible and I hope the hon. Minister will take that seriously.

The hon. Minister went on to say that the Kenya Broadcasting Corporation as such cannot remain impartial. Can the hon. Minister tell the House what he intends to do with the Kenya Broadcasting Corporation? If he does not feel that it should be impartial, then let him tell us now, and we can then go and tell our people that their money is being used for the purpose of propagating the Kaniu Government's views.

Mr. Ngala-Abokoi: On a point of order, Mr. Speaker, it is in order to refer to speeches which were made during a debate which has gone, rather than concentrating on what the Minister for Information, Broadcasting and Tourism has put forward in the Estimates which we are discussing now?

The Speaker (Mr. Slade): On the point of order raised by Mr. Ngala-Abokoi, we should not go over old ground in new debates, but sometimes what an hon. Member has said in particular in another debate is quite relevant to what is being said today. It is a question really of whether you are debating the same subject all over again or referring to the attitude of a particular hon. Member. If a Member showed a particular attitude in another debate, you are entitled to refer to that again in later days, but you are not entitled to go over the same subject again.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir. I was trying to put a certain point and I think I was quite in order to refer to the

speech by the hon. Minister for Information. He feels that the Kenya Broadcasting Corporation is not going to remain impartial, Mr. Speaker, then we are entitled to know that from now on or at a certain stage the Kenya Broadcasting Corporation is going to be run by the Government and we will forget all about it. We should go back home and tell our people the money they pay is only to broadcast the Government's propaganda to them—

The Speaker (Mr. Slade): Mr. Shikuku, I think we have said pretty well all that can be said about the impartiality of the Kenya Broadcasting Corporation or Government control of it, and I am not going to let anybody else talk about it except the Minister in his reply.

Mr. Shikuku: Thank you, Mr. Speaker, Sir. I was just finishing about the impartiality of the Kenya Broadcasting Corporation.

Turning to another item, that of game, I like to see elephant, I like to see lion moving, zebra, and all the rest of it, and so do many other people outside Kenya, and the point which I was going to raise has already been raised by one of the hon. Members who happens to come from that part of the world. However, may I add, Mr. Speaker, Sir, that whereas we all want to make money, whereas we are all aware of the necessity to raise money through any other means, we should not overlook the security of the human being. If I kill a zebra, it is bad to a certain extent, but if I kill a human being it is just too bad.

Now, which is better, a zebra or an elephant or, for that matter, a lion? If it is a human being then the security of the Massai as such must come first and money second.

An hon. Member on the other side just sits down and talks but he does not know what he is talking about. The hon. Member thinks that this is a school class. Some of the hon. Members have been teachers so they think this is a classroom where they can say anything they want to say. We are grown ups here.

Mr. Speaker, Sir, on this item of game I think we can make more money on the game by getting the tourists and making available the means through which they could go up and see things. For example, we have an escarpment about thirty-one miles from Nairobi, the best big one, it is a wonderful site. Visitors from foreign countries who visit this country hardly ever go there. When we go up that nice Escarpment we can have wonderful pictures, wonderful photographs

[Mr. Shikuku]

there where which we could be proud of. Unfortunately I have been round the Nairobi hotels where the tourists stay and I am sorry to say that they have no photographs which show our lovely Escarpment and the work contributed by the Italians during the war when they constructed the wonderful road winding up. This is only thirty-one miles from Nairobi.

I think we must pay attention to other parts of Kenya which are not actually so close to Nairobi but which would be of interest to the visitors to this country, and from which we would be able to raise more money. Such money should be used for making those places look attractive: a little wild grass, some trees, which could be shaped into something which will attract the tourists and at the same time will also help the people who live around there to know that the surrounding is an asset to the country and not a mere collection of trees and small animals.

One last point on this subject, Mr. Speaker, Sir, this I feel the Kenya Broadcasting Corporation, was to do with the Kenya Broadcasting Corporation, is not of late all that it should be. The other day I was listening in during the morning. I inquired about the advertisements. If one wants anything advertised one has to pay a certain sum of money, Sh. 30, I understand. I am very grateful for the way in which things like Moonshow, Allstrops and other things are advertised. That is wonderful. But the other day I heard over the radio that there will be a meeting of—the first meeting—Kaniu after the general elections, at which the hon. Prime Minister, Mr. Jomo Kenyatta, the hon. Minister for Justice and Constitutional Affairs and some other people would be present. This was an item of news which, in my opinion, is an advertisement of a Kaniu meeting. I would like to know from the Minister for Information, and particularly from the Director of the Kenya Broadcasting Corporation, whether the Kenya Broadcasting Corporation, whether the Kenya Broadcasting Corporation, and if it was not, whether it was a news item and if it was a news item I am also going to put one like that: the first Kaniu meeting in Nairobi after being defeated in the last elections.

Mr. Speaker, I feel that if they are not going to accept and announce the first meeting of Kaniu after it has been defeated then, it will naturally follow that the Kenya Broadcasting Corporation is being used by Kaniu under the direction of probably the Minister for Information. Other things I do not see how this comes up. They did not pay for the announcement and thereby we lost some money. If these people had paid the

Kenya Broadcasting Corporation we should really have increased our money as it took about three minutes to read the notice and that is a lot money—

The Speaker (Mr. Slade): Order, order, too much interruption.

Mr. Shikuku: Thank you, Mr. Speaker. Of course, some of the hon. Members in this House have never spoken, they only sit here and make a lot of noise, and I do not know what they are thinking about.

An Hon. Member: Is it in order for the hon. Member to address the Government benches as "these people"? Is he correct?

The Speaker (Mr. Slade): Not if he was referring to hon. Members, but I am not sure that he was. It is not in order to address any group in the House as "these people".

Mr. Shikuku: I am sorry, Mr. Speaker, Sir. I did not address them as "these people". I was referring to the hon. Members on the Government side.

The Speaker (Mr. Slade): Order, order. I think that according to what you have now said, Mr. Shikuku, you were in the wrong. If you were referring to the Government benches as "these people" that was not in order.

Mr. Shikuku: I was referring to these hon. Members. If I was misunderstood, Mr. Speaker, I am sorry. I was not implying anything about these hon. Members on the Government side.

Now, Mr. Speaker, I think we should lose no time in making money while we can and in this case I feel that we lost money, whereby there was almost three minutes which was taken up by the Kenya Broadcasting Corporation putting across the news of a certain party having won. They never paid for it.

An Hon. Member: Mr. Speaker, Sir, is the Member talking on the subject that we have moved in the Motion?

The Speaker (Mr. Slade): I think he has managed to get slightly away from the previous subject by telling us that some items of party news have not been paid for. I think he is just getting away from it.

An Hon. Member: Would the hon. Member for Butere prove that the advertisement was not paid for?

Mr. Shikuku: The hon. Member wants me to substantiate my statement. I think I have been

[Mr. Shikuku]

dealing with the Kenya Broadcasting Corporation. I think that as far as an advertisement is concerned I know very well when it is an advertisement that it is a different item. It is never in the news. What is in the news is not paid for; one never pays for news. I think it is never too late to learn, as the Englishman says; so this can be learned from me.

Here, Mr. Speaker, I am concerned with money-making; not for my sake but for the country. As such, we should make money through Game, we should make money through information, the Kenya Broadcasting Corporation, and, at the same time, the information should be put across to the whole country. For example, my area, the Western Region, look how big it is and I am glad that one Member from the Government side has realized that. Yet it has no broadcasting station and is left with no information station or branch. Is it not just too much? My Constituency consists of 800,000 people who are informed even of *Majimbo*. How can we have these people paying the Government and the money being voted to this House for information when these people are not being informed. They should be informed. It is their right to be informed. They should be informed of the Ministers we have at the moment in the present Government. We do not have photographs of the Ministers so that these people can know that such is the Minister for Information or this is the Minister for such and such a department. They just do not know who is who. This is the Government of the people and I therefore think it is necessary that the Government should inform the people who they are and the people should know who is governing them. The Ministers should be made known to the public.

I feel that in all fairness I should say that the Minister has done his best, but if all that has been said in this House can be taken into account then we can get somewhere in building the nation which cannot be built unless we have substantial money through which we will be able to educate our people and to attract the outside world as to what we are doing and what we have in the country. I feel that when the Minister stands up to reply he should give serious thoughts to these few remarks so far raised.

With these few remarks, Mr. Speaker, I beg to support.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): I would like your ruling, Mr. Speaker, whether I will be in order to move that the hon. Mover be now called upon to reply.

The Speaker (Mr. Slade): Well, hon. Members here know that it is open to any hon. Member to suggest that question, but I have the responsibility of deciding whether it is fair to all hon. Members that it should be put at that stage, and I have taken the view in the past that in these particular general debates on the Estimates it is not right to allow the closure to be moved unless it is quite clear that both the Opposition and the Government want it, because these days are set aside for the Opposition to discuss such particular matters as they want to discuss for as long as they want. So I do not think I will allow that question.

Mr. Kall: Mr. Speaker, Sir, I am not going to say much about this because the Minister has put it in such a way that everybody knows what we have been trying to do. But I have a point to make, one concerning the works, particularly the Africans.

Now everybody knows that we are only a few months away from full independence. Of the Expatriates in Kenya Broadcasting Corporation, we do not know how many of them are prepared to run away soon after independence, without even giving notice. Therefore, Mr. Speaker, if the Minister is not careful he might find himself in a tight corner when most of the people who are holding key positions decide to leave. I think it is time that the Minister sees that local people are put into these senior posts. He should see to it that our local men, men who are prepared to stay here, come what may, hold every key post in this Corporation.

Now, Mr. Speaker, I do not know how much the Minister knows of these institutions because I hear, whether it is true or not, that there are some individuals who are not even prepared to go up in the same lift with an African. How far that is true, I do not know, Mr. Speaker, Sir, but I would like the Minister to go into it.

I would like the Minister also to find out the nationalities of most of the people working in the Kenya Broadcasting Corporation because there is a great deal of discrimination in that institution and I feel something should be done and done quickly. I am sure that this is something that the Minister can improve in his Ministry, but at the same time I know that too much emotional demand of Africanization might be dangerous.

The other point that has been raised by an hon. Member is this. He says that it looks as if the Kenya Broadcasting Corporation is a sort of Government institution. This is far from being the case, although I, for one, would have preferred it had it been so.

[Mr. Kall]

I would only like the Minister and those who are concerned with the running of the Kenya Broadcasting Corporation to see that the people who hold key positions are understood by local people. I am not requesting that this and that should be Africanized because, if one lets oneself think that everything must be Africanized, emotionally, one might be tempted to demand that experts should be replaced by Africans who might not know anything. Whenever there is a local man, however, who can do the job I think he should be given the opportunity to study the work and to understand the people who hold these top positions.

Mr. Speaker, Sir, I do not want to be irrelevant, but I can mention here that in most of the Ministries today in every key position you find a retired man who has been working for years and years and there is not a single local man understanding him. Therefore, I think the Government should take into consideration the local people. Thank you, Mr. Speaker.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, I must first of all pay tribute to the hon. Minister for Information, Broadcasting and Tourism. It is unfortunate, Mr. Speaker, Sir, that I happen to come from an area in Kenya which is completely neglected. My people, the Kuria, do feel very strongly that they are unjustly treated. It is a fact that the Kuria have served, and still are serving, this country very loyally, in such vital jobs as the police force, the prison department, and the army; and the Kuria form a very large percentage of the security forces of Kenya, or rather East Africa. On the other hand, it is equally true that my people—the Kuria—have been disregarded in so many spheres by the Government of a country for which many of the Kuria young men have died defending, especially, in the two big world wars. Although they defended a British Government, I am here to inform my present Government that it should understand that this is one of the neglected areas which has not been given any consideration for many years. I feel that this particular Vote—the Vote for Broadcasting and Information—is very important. It is what I call a matter of national importance.

Mr. Speaker, Sir, I come from the Nyanza Region where we have various languages from a number of tribes who are represented on the Kenya Broadcasting Corporation programmes in Kisumu. Although I have moved a Motion which I hope will soon come into the House, I feel that I must mention something about it during this

debate. I am not trying to embarrass my Government but I am glad that the present Government is fully aware of the situation in Kuria, because I know that the Rt. hon. his excellency Mr. Jomo Kenyatta, the Prime Minister of Kenya, is aware of that particular area.

An Hon. Member: On a point of order, Mr. Speaker, is the hon. Member right in referring to the hon. Prime Minister as "his excellency"?

The Speaker (Mr. Slade): There is no harm in referring to any hon. Member or anybody outside, by any title of the speaker's choice, as long as it is not offensive.

Mr. Malsori-Itumbo: Thank you, Mr. Speaker, I think the hon. Members opposite must give this rank to our Prime Minister, whether they like it or not.

Mr. Speaker, Sir, my suggestion to the present Government is this: we have a number of different tribes, as I have said before, who are represented on the broadcasts in the Region and many people in Nyanza are wondering why we still have Swahili broadcasts in Kisumu. They wonder why it is widely broadcast, unnecessarily. I want to suggest that these Swahili programmes in the Nyanza Region should be reduced and there should be inserted therein the Kikuria programmes periodically. The following tribes in the Nyanza Region are all represented in their own languages, and if I am allowed to quote them here are the names of the vernaculars which received broadcasts in Kisumu: Luhya, Luo, Masai, Kalenjin, Kisii and Gulerjari—which is an Asian language—and English. Here you find that it is only the Kuria language which is not included in this particular section of the broadcasting, and it is very important that it should be included.

An Hon. Member: The Kuria understand Kisii.

Mr. Malsori-Itumbo: Mr. Speaker, Sir, one hon. Member has said that we understand Kisii, but I doubt whether we could understand it at all. I do not understand his language properly.

Mr. Speaker, it is not time for us in Kenya to adopt or to introduce the Tanganyika system of one national language in broadcasting. Of course, I am not opposed to that, but still when other tribes in Kenya are represented in such a vital broadcasting section I feel my people must also share the advantages which go with radio broadcasting.

Mr. Speaker, as I said before I do not see the reason why we should still have Swahili programmes in Kisumu while all the tribes in Nyanza

(Mr. Malsori-Itumbo) have their own means of hearing the broadcasts in different languages.

Mr. Speaker, Sir, I am really wondering if these Kuria people are really going to stay in Kenya. Recently there arose a question in this House about how they are neglected in so many ways with regard to land and settlement and other things.

The Speaker (Mr. Slade): This is not relevant.

Mr. Malsori-Itumbo: Thank you very much, Mr. Speaker. I was told that people are moving to Tanganyika and there is no one ready to prevent them. In this particular issue I would like the Government to consider my people in order to make them feel at home in Kenya while other people in Kenya are enjoying this very vital share of broadcasting.

In conclusion, Mr. Speaker, I would inform the House that the benefits we get from broadcasting are educational, social, political, agricultural and spiritual as well as many other benefits which I cannot at this time remember. While leaving a tribe like the Kuria out of the information services I wonder how long one expects the Kuria to stay isolated from the modern progress of Kenya? How long should we remain backward? I think the hon. Member opposite is a leader of the Youth Wing himself and tomorrow he is bringing another Adjournment Motion—

Mr. Shikuku: On a point of order, Mr. Speaker, is it in order for the hon. Member to make reference to a subject which is to be debated as a Motion of which notice has already been given?

The Speaker (Mr. Slade): The Stippling Order to which you refer does prohibit anticipating reference to a coming Motion provided that the coming Motion is likely to come up for debate reasonably soon. But there are many Motions, of which notice has been given, and I think there is sufficient doubt as to Mr. Malsori's Motion coming up for debate to allow him to make reference to the same subject in the present debate.

Mr. Malsori-Itumbo: I think we are soon going to put them right.

The Speaker (Mr. Slade): It was a perfectly good point of order.

Mr. Malsori-Itumbo: In conclusion, Mr. Speaker, I wish to say that we are not going to restrain ourselves any longer on this particular point, and I think my Government is going to

consider the case of the Kuria people and put Kuria broadcasts on the Kisumu broadcasting station. I think the money that is estimated for this particular Ministry is enough to start Kuria broadcasts in Kisumu as soon as possible. I do not think that this will cost the Government any extra money because it is only a matter of getting rid of the unnecessary Swahili and inserting the Kuria which will be much more useful for the people concerned. The people in Nyanza are not used to speaking Swahili, because there is no tribe that has a Swahili name in Nyanza. The Luo do not even understand one word of Swahili. Nor do my people or the Kikui, the Abaluhya or anyone else. The Indians also have their own language and we have got very few settlers in Nyanza and therefore English is not used very much. Therefore, we do not need Swahili to be broadcast or to hinder the peoples' chances in broadcasting. I guess this is the only means of putting this case forward, or of pushing it harder to the Government, in order that these people are considered. It is only a few years ago, Mr. Speaker, that my people were not represented in this House. I came here, in the first instance, as an imperialist stooge, but, Mr. Speaker, this is the only proper time that my people are represented here politically in the right way. Therefore I think I came at the right time when Kani was forming the Government, and therefore, Mr. Speaker, I think my Government is going to consider this change very seriously, not simply because the Opposition is embarrassing it. Of course it is a matter of the Government and it is up to the Government to see that things are done equally.

With these few remarks, Mr. Speaker, I beg to support.

Mr. Khasakhala: Mr. Speaker, Sir, I have a few remarks to make to the Minister, which other Members have said very little about.

First of all, I was pleased to hear the Minister for Tourism and Broadcasting state that he was not going to nationalize the Kenya Broadcasting Corporation. That pleased me very much and I am sure he meant it, and the Government will note it very clearly, so that the Kenya Broadcasting Corporation can be left free to do what is thought right for the people of this country.

Mr. Speaker, I feel the time has come when we should tell the Government to pay special attention to tourism, because this pays the country a lot of money; we have a number of visitors coming from the United States, Germany and other places, and they bring quite a lot of money into our Government, yet what they see is very little.

(Mr. Khasakhala)

I would suggest that the Minister encourages some people to build big hotels in our National Parks. These hotels would be handy for the tourists who come here to stay on the spot, see the animals at their convenience, without travelling and paying more money on taxis, take pictures when necessary from the hotel and see the game. I think this is a matter of great importance and urgency and the Minister should pay attention to it.

We have a beautiful National Park here, and I sometimes take my children to see the lions and other animals, but, when it rains, Mr. Speaker, I cannot go there. Could the Minister also pay special attention to the roads in the National Park? I feel that the roads in the National Park should be of tarmac. It is important that they should be tarmac so that the tourists who like to see animals should not be prevented by rain because the roads are not passable. This is a very important item which I think the Government should note instead of making noises like those on gramophone records.

Mr. Speaker, Sir, our National Parks have quite a number of roads leading right into the inner parts of the parks, and when it rains, especially when we had heavy floods in and around Nairobi, many people could not get into the parks, and I think the Government lost a lot of money as a result of this. Some of the money being collected at the gates should be used to tarmac these roads.

Speaking for the animals in the National Parks, time has come when the Minister should install some water points in the parks. We lost many beautiful animals a year ago. They died of thirst and yet, there is a lot of money collected by the Ministry and by the Government from visitors to the parks. I feel strongly that the Minister should provide water for the animals in the parks, so that when we have droughts in this country the animals do not have to die, or stray from the parks and interfere with our roads, particularly the road to the airport which they are crossing to find water and grass. These two or three points are very important and the Minister should pay particular attention and see that improvements are made.

I would also refer to the Mount Longonot area. This is another area which has been neglected by the Ministry. There are no good roads leading to Mount Longonot, and I am sure that tourists who come to this country, would be more attracted to visit Mount Longonot which is a historical mountain in this country. A good road leading to

this mountain would enable people to take pictures of our beautiful Rift Valley which they could take back home with them.

Mr. Speaker, Sir, let me now turn to the information side. The hon. Member for Kuria has been complaining about his own tribe and with the same Abaluhya being one of the most important tribes I feel that the time has come when the Information Service should establish a paper in Luhya to give information to our people. Most papers printed by the Information Service in the Western Region are either in Luo or Swahili but none in Luhya. I would like the Minister to take this into consideration immediately and see that there is a paper in the Luhya language, so that our people, of which there are well over one million and a half, should be informed of what is happening in the Government and in the country.

Finally, Mr. Speaker, Sir, I would like to say a few words about the Kenya Broadcasting Corporation. I feel it would be most helpful to some Christians, who would like to attend the church services on Sundays, if the Kenya Broadcasting Corporation could schedule a service or broadcast, during the church services in this country, which are at 10 or 11 o'clock, for those people who cannot go to church so that they may listen to the service at home. I know it may discourage people from going to church, but at the same time I feel it is important for someone who is a Christian at heart to listen to the word of God in his home while the service is held at church when he cannot go, because he himself or his family are ill. Most of the services are held in the evening at 6 o'clock or at 6.30, when most people are having discussions with people from outside. It may be raining and keep people away from these services.

I would also ask the Minister to request the Kenya Broadcasting Corporation to introduce a wider scale of education broadcast, not only in English, which they do once a day, but they should have also some English programmes for all levels and not for one level. There are many people who would like to improve their English but cannot follow because the broadcasts are for the younger ones and the older ones cannot follow very closely, and as a result they turn their radios off as they cannot have the necessary educational broadcasts from the Kenya Broadcasting Corporation.

The same applies to television. Murder programmes discourage most of us from watching television and they should replace these with educational programmes instead of the American programmes of cowboys fighting and shooting.

[Mr. Khasakhalu]

They are not good for this country at the moment. I would like the Minister to check these programmes very closely, so that they are not shown during the day, but at night when the children and young people have gone to bed, Mr. Speaker, Sir, with these few remarks I beg to support.

Mr. Ngala-Abok: Mr. Speaker, Sir, I would like to congratulate the Minister for Broadcasting, Tourism and Information, for the constructive and reasonable manner in which he presented his Vote. Although many Members have already said a lot about the Kenya Broadcasting Corporation, I would like to be given the opportunity of expressing my views in a short way. In fact, we complained a few weeks ago that if the Kenya Broadcasting Corporation is going to help this Government to move forward with its policy of promoting unity, then it must behave in the same way it is behaving during the time of the Colonial Government. At that time one could read quite a lot about what the Government was doing in nearly every newspaper and nearly every announcement covered what the Government was doing and people understood what the Government wanted them to understand. Although the Opposition wish their views to be presented by the Kenya Broadcasting Corporation through the country, and, by all means let them be represented, but the Government side must be given greater opportunity and wide publicity by the Kenya Broadcasting Corporation in its attempt to educate and inform the country on what the Government is doing.

The other day I was listening and the radio had been on all day, but I heard very little of what the Kaniu Government was doing and yet, nearly every Ministry has shown what it intends to be done for the people, and, moreover, there are many Members from the Government, which is a peaceful Government, who would like their policies to be made known to their respective constituencies. Sometimes our people are very sensitive to opposition, and the fact is that they do not need any other party, or as you know already the majority of the people in the country support this Government and they would like to bear more of what the Government is doing. Some of the people in the Kenya Broadcasting Corporation still think that they can help to build up the Kadu supporters in this country by trying to bring some sweet news in their programmes in favour of Kadu and even the Press would like to advertise and to publish a lot of what is said by the Opposition, hoping that there will be more Kadu supporters in this country.

Any attempt to build Kadu by publicizing or advertising *Majimbo* in the news is not going to help this country.

If the Kenya Broadcasting Corporation is going to do its work then this Government will support it. The country always wants to know what the Government is doing, not what the Opposition is opposing. When we say that the Kenya Broadcasting Corporation should be nationalized, it means that we have noticed that it is becoming biased against Government and its supporters.

As regards tourism, Mr. Speaker, Sir, there should be some programme by which the tourists can be told what parts of Kenya are suitable for them to visit. They should visit all parts of the country instead of going only to small areas near certain towns. In this case, I refer to Homa Bay, which is a very good tourist attraction. This is a very attractive bay, as some people have already said. Another place is the Lambwe Valley, which contains all kinds of animals, some of them now becoming quite rare in other parts of East Africa.

[The Speaker (Mr. Slade) left the Chair]
[The Deputy Speaker (Mr. De Souza) took the Chair]

This valley should be developed as a tourist attraction in order to bring some money to this part of the world, instead of just concentrating on the National Park which is known all over the world.

I suggest, therefore, that when people come to this country they should be given a wider idea of Kenya.

Mr. Deputy Speaker, Sir, I would like to say that information is not being disseminated in the best way to the people. There is a magazine called *Teach Yourself Citizenship* which is being wasted because in many areas it is thrown away, and some people do not understand why the Government is distributing this magazine. I think the best thing that could be done with them would be to leave them with the chiefs who could distribute them at the *baraza* and also explain the contents to the people and tell them what Kaniu is doing.

As a politician I am always being asked to say what Kaniu is doing and if the people were better informed by the Government it would make my task much easier.

What I said to my meetings before, during and after the elections was not reported. The correspondents at Kisumu are not very good at reporting what is said in that area. I have heard reported anything that I said at any of my rallies. I have never heard anything reported that was said by any hon. Member in the Nyanza Region.

[Mr. Ngala-Abok]

The people should be told what the Government is doing and also what the Opposition is saying if it is not poisoning the minds of the people.

Now, Mr. Deputy Speaker, Sir, there is something I should say about the reporters of the news in this country. These reporters do not travel enough. They should write what is constructive and not what is not constructive.

Next time I address a meeting I would like to see them reporting on that meeting. We are the people ruling the country and whatever we say should be reported to the people.

To close, Mr. Deputy Speaker, I would like to say that I hope the Government will see a way of building a game lodge in Lambwe Valley and of promoting Homa Bay as a tourist centre. I would like to thank the Minister again for all he has already done and intends to do.

Mr. Deputy Speaker, Sir, I beg to support.

Mr. Oboko: Mr. Deputy Speaker, Sir, the trouble in this House this afternoon is lack of publicity which some of the Members on the opposite side claim to have not been given. What I think, Sir, is that the Minister for Information, Broadcasting and Tourism has not at any stage told this House or told anybody or issued a statement to the Press indicating that he was going to shut down the radio, or any section of the Press. My learned friend on the opposite side of the House who is not in, threw a lot of stones at the Minister this afternoon because he said the Minister did not tell him whether he was going to get much publicity. However, Sir, the other day in the *East African Standard*, the Leader of the Opposition was given publicity featuring on the front page as a whole, and I think this is what my Government like this one in Kenya can really do. The Minister has not at any time said he is going to control the Press or control the radio, that he is going to deny Opposition Members publicity to which they are entitled. That is the struggle in this House this afternoon.

Sir, turning to the Department of Information, particularly the Nyanza Provincial Information Office where, at one time, I served as a Provincial Government Assistant Press Officer in that Region, and occasionally toured the area of my learned friend who is not in the House; in fact, on one occasion, I went as far as his home. I am referring to the hon. Member, Mr. Khasakhalu, who is not in the House unfortunately, and, Mr. Deputy Speaker, Sir, I went as far as his home and did a write-up on an African coffee grower. He took

me round and we met quite a number of people, and a number of pamphlets published by the Department of Information were distributed and were received in a very cheerful way by everybody in that area. Unfortunately, he is not in to testify to this information.

Sir, what we all know is that the Minister has a lot to do. His Ministry has done so much in remote areas like the Nyanza one. The Provincial Information Officer there had several vehicles at his disposal to enable his staff to go as far as Homa Bay, Elgon Nyanza and many other areas, Sir, as well as Kisii. What I would like to suggest, Sir, is that hon. Members request this House to reorganize the Department of Information. If anybody wants to get publicity, first of all they have to find out why they have not been receiving as much publicity as they want. If that is so, it is probably because we lack writers in the Department of Information. Then we should try and find out how many writers we have in the Press Office, because if we have a good Press Office like the one we have today, Sir, I think the radio would have more news in the Kenya Broadcasting Corporation news room. If someone is trying to be very smart in the newsroom at the Kenya Broadcasting Corporation, then we would ask the hon. Minister to have a quick look into the newsroom and find out what that man is doing there. This is the sort of thing which the hon. Members should try and tell this House or suggest to the Minister, instead of throwing a lot of stones at him indirectly.

The other thing I was going to suggest, Sir, is that the hon. Minister should try and find out if there can be a possibility of sending a number of our information officers overseas for further journalistic training. We should also try and find out if we can have some changes in the style of editing some publications of the Department of Information. We should simplify the editing from the old standard. We should also try to make some changes in the way they are being distributed in the reserves. They should not fall into the hands of Chiefs, but the distribution should be done by Kaniu representatives in each region. These are the popular people in Kenya today.

The closing down of the information office at Kisii would do more harm to the Government because Kisii is very far from our central information office here. The local people want to know what is going on, they do not get papers in that area, Sir, and I therefore think that closing down the information office in that region would do a lot of harm to our central information office as well as the local man in that area.

[Mr. Obok]

Sir, another point is that the hon. Minister should try and find out why we do not have a single African sub-editor in the Kenya Broadcasting Corporation newsroom. Most of the Africans who are in the Kenya Broadcasting Corporation newsroom are merely doing translation from English news, and I think this is something which is more important. We are trying to govern this country in a sensible way because we have our own Government now which I wanted to tell the hon. Member from Masai who questioned whether this was a Government of the people. Of course, it is the Government of the people and this Government is a Government with sensible men able to run this country in an orderly manner. This is the people's Government which is going to govern this country in an orderly manner and is not going to rob anybody of anything. The other day the Prime Minister said in this House that the future Government, which is this one, was going to be a Government which will govern this country without robbing anybody of anything. In other words, he said this was not going to be a gangster's Government. This is just to drive away the fear which Members of the Opposition have today, because their fear is that our Government is trying to deny them almost everything. They cannot be publicized in the *East African Standard*, but the other day, the hon. Member from the Coast, I think, was given wide publicity when he moved a Motion in this House that we were trying to deny the women the opportunity of taking part in the country's affairs. I would be pleased, Mr. Deputy Speaker, if he could tell the House how many women they have in the Regional Assembly at the Coast.

Sir, in supporting the hon. Member on the Government side who said that on television we are seeing a lot of South African news; and so on, I think that we should localize the whole thing, because our people would like to know or read about the hon. Member for Nandi, a person they know, they want to see him; they would like to see somebody on the Government, not somebody in South Africa, as they do not know him, they have never seen him before. We should not go on reading a lot about somebody in America or someone in Washington, and things like that. So, Mr. Deputy Speaker, I think the only thing we should do this. We know our Government is a Government with able men in it and, with the co-operation of my hon. friends on the opposite side of the House, we should try and see that we work together peacefully like sensible men, because we know the world today is watching to see exactly what is going to happen in Kenya, as

Kenya has been very badly publicized overseas by foreign journalists. We have no quarrel with the local journalists at the moment—they have changed in some cases—but we have a quarrel with foreign journalists who sometimes publicize our country overseas in a very bad way.

With these few remarks, I beg to support.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I have got a few things which I must say. I was very much interested in the Kenya Broadcasting Corporation and as so many people have spoken so much on this I am not going to speak on this subject. But before I do this I must congratulate the Minister for Information for his wonderful speech which he delivered in presenting the Vote to this House. I was surprised to see that in spite of what he said in his speech we heard a lot of cries from the Opposition crying for impartiality and the independence of the Kenya Broadcasting Corporation. I think I understand why these cries were so numerous from the Opposition and I must say in this House, Mr. Deputy Speaker, that the Kenya Broadcasting Corporation, or the Kenya Broadcasting Station or the African Broadcasting Station—as it was in the past—was never at any stage independent. In the past the Kenya African National Union and the people of this country had to fight through many obstacles for their independence. We had to fight Kadu, A.P.P. and all other parties and tribalist organizations and on the top of that, Mr. Deputy Speaker, we had to fight the Press of this country.

The Press of this country has always been directed by the imperialists who were against our independence. We had to fight the Kenya Broadcasting Station—or the African Broadcasting Station, or whatever it was—which has been using the public money. It is no wonder that these people are surprised and they come to this House crying for the independence of the Kenya Broadcasting Corporation, because in the past all these organs were used to boost Kadu and all other tribal organizations. This was done against the wishes of the people of this country. There was nobody in this country who had any doubt that the Kenya African National Union was the party in majority in this country and everyone in his senses knew very well a long time ago, long before the election, that Kanu was going to win the election and form the Government of this country. In spite of all this, Mr. Deputy Speaker, the Kenya Broadcasting Corporation and the Press went on supporting and boosting Kadu up to the day of the elections.

An Hon. Member: We have not heard what the hon. Member said.

The Deputy Speaker (Mr. De Souza): The point of order that he raised was in alleging that the Kenya Broadcasting Corporation was partial towards Kadu throughout the period leading up to the elections.

The Parliamentary Secretary for Education (Mr. Kaggia): Thank you, Mr. Deputy Speaker.

At this juncture, Mr. Deputy Speaker, I would like to congratulate the people of this country for the fight which they fought to enable the Kenya African National Union to form the Government in spite of so many obstacles to be overcome. I think the Opposition ought to have been very thankful to the Minister for Information because he allowed a certain amount of independence to the Kenya Broadcasting Corporation and so on. From past experience we have had with the Press and the Kenya Broadcasting Corporation I was expecting the Minister to tell us that he was going to close down the Kenya Broadcasting Corporation and either nationalize the Press or close it down, or even Africanize it. But the Minister was so kind as to give them some independence and some freedom and I think the Government will have to wait and see how these people use this freedom which they have been given by the Government.

Mr. Deputy Speaker, after coming to the stage at which we now are, of internal self-government, we are embarking on building our nation; we are embarking on constructing our country; we are embarking on directing our people to the new ideology, whichever we will choose; we are starting to teach our people the policies of the Government and we are going to work hard to change the mentality of our people from the colonial approach to things to an independent approach to things. For this reason I think it will be a great mistake for any Government in the world to allow such an organization as the Kenya Broadcasting Corporation, or even the Press, to work in their own way. What I am trying to say is that we cannot tolerate the Kenya Broadcasting Corporation, or a corporation, which will be prepared to work in the opposite direction from what we are intending to do. That means, Mr. Deputy Speaker, if the Kenya Broadcasting Corporation may start, or may go on, in the way it has been doing in the past, in supporting Kadu and other secessionist groups, I think this will be destructive and we cannot sit here as the Government and allow anybody in this country, to destroy our country when we are using money, manpower and everything to build our country.

The Government will be failing in its duty if it allows these organs to continue in the way they have been continuing.

Mr. Ngala: Can the Member substantiate his statement that the Kenya Broadcasting Corporation has been supporting Kadu?

Mr. Seroney: The Kenya Broadcasting Corporation is a statutory body and an allegation has been made against it. Would the hon. Member substantiate it.

The Deputy Speaker (Mr. De Souza): Mr. Kaggia, if you make an allegation, or a statement, you are required to substantiate it. Otherwise you must withdraw.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, I have been talking of the past when it has been supporting Kadu and that can be substantiated through various reports. The Press has been giving precedence to Kadu reporting and so on. Even now we have seen that the speeches made by the Opposition are given precedence in broadcasting and we are going to protest very strongly to the Government—General—

The Deputy Speaker (Mr. De Souza): This is your substantiation?

Mr. Seroney: Mr. Speaker, if you allow a Member to make allegations, he must substantiate them. It is no good his just saying "I can do it". Let him do it.

The Deputy Speaker (Mr. De Souza): He has stated on what basis he is making the allegation. Which is on the grounds made in broadcast. I do not think he can go much further than that.

Mr. Ngala: I stand to ask your guidance. The Member has stated that there are certain reports. Is it not appropriate, Sir, that he should produce the reports here or post them instead of just saying that there are certain reports?

The Deputy Speaker (Mr. De Souza): I do not think he can possibly be expected to produce the reports.

The Parliamentary Secretary for Education (Mr. Kaggia): This question has been raised previously in this House but since we started we have seen that the Kenya Broadcasting Corporation has been giving prominence to the speeches made by the Opposition, especially by the Leader of the Opposition. More prominence than they are giving to the speeches made by the Prime Minister of this Government. Therefore, Mr. Deputy Speaker, I say that as we are going into building this country we are not going to tolerate organs which may be working against the wishes of the Government or which may be working towards destroying our country.

[The Parliamentary Secretary for Education]

I believe that it is the duty of the Kenya Broadcasting Corporation and of the Press as well to tell the people exactly what they would like to hear. The people of this country are very interested now in what the first African Government is doing for them and what it can do. They are not interested at all in what the Leader of the Opposition says. When I say this I do not mean that he should not be reported. I only say that the Government should be given greater preference in reporting than the Opposition because we are the people who have got plans for the future of our country. The things which interest our people are the constructive plans for building our country. They are not interested by mere Opposition for the sake of opposition. That is really negative and it is not going to serve any purpose for the country.

Therefore, Mr. Deputy Speaker, I am going to say that the Minister for Information has been very kind and I congratulate him for his kindness and I would like to warn the Opposition and the other members of this country that everyone should support the Government and see that all peoples are working together in building this country, but not in destroying our country. I believe that our people are still ignorant of the many things which we are going to do from now on and the Kenya Broadcasting Corporation and the Press should be employed in informing our people of these plans and the other things which we plan to do, in the language which is used by the Government. I think it will be a great mistake for the Kenya Broadcasting Corporation and the Press to continue in the way that they have been going in the past. Here I would like to ask the Minister to keep a very close watch on these organs to see that they change their policy according to the change of constitution and the change of Government in this country.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

Mr. Speaker, Sir, if these people are not to change, or if they continue in the way they have been doing, I will definitely ask the Minister and our Government to reconsider whether we are going to allow this so-called independence of the Kenya Broadcasting Corporation to continue or we nationalize the whole thing.

My last point, Mr. Speaker. One of the hon. Members on the Opposition complained that the Kenya Broadcasting Corporation—I think this was the only correction the Opposition had—reported once that the Prime Minister was pass-

ing through a certain area and that at the same time an hon. Member on the other side was visiting an area. The Kenya Broadcasting Corporation never at any stage reported that this particular hon. Member was passing through that particular area. I think that here is a reason that the Corporation should have independence; that is where independence comes.

The Speaker (Mr. Slade): We have already discussed this enough.

The Parliamentary Secretary for Education (Mr. Kaggia): Thank you Mr. Speaker. I am only mentioning this in passing. I thought that the Kenya Broadcasting Corporation or the Press has the choice of deciding what kind of material can be news to the public and in this way they make the things which the people want and they make them news of interest. They are at liberty to report anything which they think is of interest to the people. I think everyone will agree with me, Mr. Speaker, when I say that even before Mr. Kenyatta became the Prime Minister the mere mention of his name in any location in which he was to appear meant news when reporting and the newspapers were in the habit of picking this up because it was of interest to the people. The people knew that they would like to go and see Mr. Kenyatta wherever he was passing. I do not think, however, that any paper in this country, or the Kenya Broadcasting Corporation, could be deceived in thinking that if they tried to put, for instance, that the hon. Member for Butere was passing through some area that it would make any news. If they did so they would very soon realize that they were mistaken, because it would not make important news and nobody would read it.

Mr. Speaker, Sir, I am not going to prolong my speech but before I sit down I congratulate the Minister once again for the adequate speech he made and I would urge upon him to keep a close eye on the Kenya Broadcasting Corporation.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I would like to correct the impression that has been created throughout this debate about controlling the Kenya Broadcasting Corporation. The Government has no intention whatsoever of controlling the Corporation. It is true that a lot of criticisms have come forth about the programmes and so on. At the moment there is a current correspondence going on about the Asian part of the programme on television.

[The Minister for Finance and Economic Planning]

The Motion at issue here is that the Government has no intention whatsoever of controlling the news. It is true that it should be unbiased as possible but the Government has no intention whatsoever in controlling the programmes as they are today. I think what I ought to be asked to do is to control the Opposition. The Government has to come in, Sir, because one of the problems that the Kenya Broadcasting Corporation and the Television face is that very few people are willing to come forward and pay for the licences for their radios and their television sets. This is where the Government will have to come in more and more. This is where I am glad that I have the support of the Opposition.

There is one other aspect, Sir, of the whole question of news and that is with regard to the newspapers. I do not think Government again has any intention of nationalizing them, but I still remember—and I consider myself a very balanced man—that no country can possibly be run by a foreign press and we hope that as the Press at the moment, here in Kenya, has begun to be constructive it will continue to be constructive. This is welcome. I think the papers should avoid playing one person against the other, or one party against the other. I think they ought to be as neutral as possible and they should look upon their news items from a very neutral point of view and they should I think sometimes the editorials are very well balanced, but I must say that—and I think I am speaking for the Opposition—we do not want to see a Press in Kenya that is biased one way or the other. I feel very strongly that if the Government is wrong the papers should feel free to say so, and yet on the other hand if the Government is right that should also be stated. I think, in that way, the newspapers will be acting very constructively, but if they do not act constructively, if they are going to obstruct the Government's activities that are meant for the good of the whole country, I am afraid then there will be a conflict of interests. As I said earlier, I maintain that no country, no independent state, can be controlled by foreign newspapers. Other countries have been controlling their foreign correspondents. Very often, as we here in Kenya have experienced in the past, there has been very destructive reporting about the news in Kenya, but I am happy that this attitude has been changed, and I am quite sure that this change which has come about now we have a very strong Government that is determined to do its best for the good of the country as a whole, will be very helpful. We need a constructive Press, we need a very con-

structive news agency in the form of the Kenya Broadcasting Corporation and the Television and I am quite sure that if we all co-operate and work this will turn out very well for our country and all the people.

I hope too, the hon. Members in this House, will also be as constructive as possible, because that it is only in this way that we can hope to bring our country to achieve those aims that we have—both in the Opposition and the Government—talked about. We must definitely bring about a raising of the standards of our people and then we shall have a really happy and prosperous Kenya.

Mr. Seroney: Mr. Speaker, I beg to move that the Mover be now called up to an reply.

The Speaker (Mr. Slade): As I said when Mr. Nyagah raised the question of closure, these debates during the fifteen allotted days are really regarded as Opposition time, and so it is up to the Opposition to choose how they use these fifteen days and I can therefore entertain a Motion for closure from the Opposition in a debate like this. It is for the rest of the House to say whether or not, in fact, they want the debate closed.

(Question put and carried)

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok): Mr. Speaker, Sir, I would like to take this opportunity to thank the hon. Members for having given very constructive speeches, some of which may be considered to be too wild, but I do feel that they contribute to the progress of this House.

Mr. Speaker, I shall not take very much time on this because I made a Government policy statement when I presented the Estimates on the 28th June. There are only a few points, Mr. Speaker, that I would like to explain because already there are confusions—even from the Government side. I am using that against myself because I do not fear the Opposition; I have my facts and figures to support whatever I say on this. I do represent the Government and I must lead them to what I think will be useful to this House.

On the Information side, Mr. Speaker, I can say we have a machinery which enables us to put out information effectively and ensures that such information reaches the people. Our intention is to see that we serve the people of this country, the people that brought us, by election, to this House. In fact, there is no question of one-sidedness. With the exception of the North East Region, that we have Information Officers in

[The Minister for Information, Broadcasting and Tourism] every region to ensure that the public is fully informed of Government activities and policies. For instance, today we have started on a programme whereby the Ministers are given the opportunity—this will be given enough publicity—to explain to the people the functions of their Ministries. This is just a beginning because it is our intention not just to educate the people but to inform them and to educate them in the right way that the Government feels good enough for everybody.

Each information office has a mobile unit equipped with tape recorders, a public address system and a Colour transparency projector which enables the units to give shows in the remotest parts of Kenya.

An Hon. Member: Including the Masai.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko): The Masai land I will be coming to later, but I would like to say we intend that the present Ministers will record their speeches and when we do this our main intention is to see that whenever the mobile units visit areas it will be the Government's object to see that the people in these areas will be given the chance to hear them. I am not going to be discriminatory and I am not referring to the other party or the Opposition specifically, but I am referring to the local representatives and that should be understood to mean Members representing their people in this House. We have prepared colour slides on various subjects to show to our people.

Mr. Speaker, Sir, the work of our officers in the field has been questioned in this House. It has been asked if we are going to work on a regional basis. The only thing I would like to say on this is that the *safaris* of our officers are organized after full consultation with the Government agents and their officers in the field. These *safaris* are very popular indeed and furthermore after consultation with the Kenya Broadcasting Corporation we intend to organize a programme which will be known as "Know Your Government". This will help. When I refer to these things I do not refer to anything local; I represent the Kenya Government and I think it should be understood that it is a Kenya Government.

Our intention is to make local films for showing on the Kenya Broadcasting Corporation's Television and they could also be shown overseas. It has been said in this House that our publicity outside has been very poor and I

entirely agree that it has been. I was reading in one of the papers today which describes—I am not using this against the Opposition—the Opposition as being moderate, loyal and the rest of it. I can substantiate this, Mr. Speaker. It is when one party which could be described as fighters for freedom are described in overseas papers like that they are bound in the long run to join with the people we have been fighting. They will then leave us alone to rule ourselves.

Mr. Speaker, Sir, the general complaint is that the Kenya Broadcasting Corporation spends too much on overseas programmes, on overseas films and news. This may be true, but our intention is to localize and to appeal to the local people, which is the most important thing. But, again the difficulty has been finance, and this is where I am discussing the details and I will give the explanations. I shall need more money from you so that I can give the Members enough publicity and also give more publicity for the country, which we really require.

We intend to have films which will be informative and educational with emphasis on the Government activities, and this is very important indeed, we cannot get away from this. As we have said, the image we have to create of the new Kenya is very important and we hope that television is going to be very useful in this respect. Hon. Members here have been somewhat excited on what they call—I don't know how this has come about—the nationalization of the Kenya Broadcasting Corporation and Television. I think the Government's intention and the Government policy has been explained here and I think we do understand this very well indeed. There is no question of nationalization or anything of the kind, but our intention is to see that we can create a Kenya image which will represent the whole of Kenya and that is the people of Kenya, but if the Opposition think that probably they will be left out, they are mistaken. Whatever we do and wherever there is need for a change in any Ministry it will be done for the interest of the people of Kenya.

Mr. Speaker, Sir, we have heard quite a lot of suggestions on the tourist side which I welcome, and I hope the Government will support me in this, that we should expand tourism as much as possible in the country and that we shall begin to visit, what has been described here as "beautiful areas" or "islands on the lake" and we shall do as much as possible to advertise and give enough publicity to even our friends outside, without discrimination, so that they may assist us if at all short of funds.

[The Minister for Information, Broadcasting and Tourism]

One Member has mentioned about photographing the Masai people. Well, I do not intend to argue, but we all know our bounds. We are not keen that all these tourists should trespass on other people's property, but I hope we are going to organize (if the allegation is true, that they walk into Masai homes and force them to have their photographs taken) an investigation and see that we provide enough guards to avoid trespassing on other people's property without their permission. At the same time the Masai people are very interesting people and they are, of course, an asset to Kenya, like anybody else, and they can contribute in many ways we do not realize. Therefore, if the Masai people can contribute to the well-being and to the advance of Kenya, I don't see anything unreasonable in that, if they give their consent. I think the Masai are a very proud race and they like their photographs to be taken, but I do not think that we can make capital out of that.

The question of animals consuming grass or destroying or killing people or their animals I think I should not go into, because the Minister for Natural Resources is in charge of the animals. My Ministry is only concerned with the tourists, how we can look after them when they come to our country and the advertising side of it. Here I think I have to leave it, it can be raised later on and I hope the hon. Minister for Natural Resources will be able to answer.

Another point which was raised was on the closing down of the Information Office in Kisii. This is not just a matter of closing it down, it is a matter of transferring it to another centre, where we hope it will serve the people. For instance, we have been having difficulties, as I have said before, in the Eastern Region we still need to have a post to serve this area, especially now there is a very great need to have an Information Office established right up in Julo, but the Information Office in Kisii will be transferred to Bungoma. It is very important that we have some changes now that Kisii, South Nyanza and Central Nyanza are in one region and I hope for the time being that the people of the Western Region will benefit from the Information Station in Bungoma.

Mr. Speaker, Sir, points have been raised about the Kenya Broadcasting Corporation. Some of the hon. Members think that learners should not broadcast at all. I think this is also where we may be wrong, because if you want to swim you must get into the water, get drowned or swim!

And these people, the learners, I don't know if you just want them to learn in the bedroom, and not to test their voices to see if they can be heard or not. But again, we don't want to embarrass the listeners; we can see that the training is improved in such a way that a week will be enough for trial or experiment, but we cannot rule it out completely that it will not be done.

The other day I accused the Opposition of having ordered papers which they did not collect. If there is anyone to be accused it is the Opposition. We ask the Opposition to help us to see that these papers are distributed and to gain as much benefit as possible from them.

A point has been raised about publicity for South Africa. I will leave the Prime Minister to deal with policy towards South Africa. We are here to publicize our country and there is nothing at the moment in South Africa that we need in Kenya.

Regarding school broadcasting, very good work is being done to educate schoolchildren during school hours, in the mornings.

Complaints have been made that we give too much publicity to the *Sauli ya America*. We will have to investigate this. We are an independent country and our task is to give correct information to our people.

We must have more funds to get information to the outlying areas by means of mobile vehicles, to places like Masai, Turkana and the Northern Province. We have an officer who is in charge of Nairobi and Masai; he is preparing programmes to provide information for the Masai.

We do not want to cut down expenditure; we need to increase the Budget so the people can be provided with information and news.

Mr. Speaker, coming to the point raised by the hon. Member, Mr. Malsori-Itumbo, I feel this is a tribal point, but at the same time I have a feeling that we must have a plan, a very strong five-year plan, whereby we will have only one language in Kenya, and that will be Swahili.

We have on the Asian service Hindustani and Gujarati; we have all sorts of languages, and I do not see why the Asians cannot learn Swahili and English. On the Coast they speak Kimwili. I should have thought that Kiwihili would have been more in use at the Coast.

Mr. Speaker, I am glad to assure the House that we intend to make the Kenya Broadcasting Corporation and the Ministry of Information serve the country. Whatever changes take place

[The Minister for Information, Broadcasting and Tourism]

will come as a result of the demands and the needs of the people. We hope that the Kenya Broadcasting Corporation will serve the Government and the Opposition as well. But the Opposition must be constructive.

We have made out a policy and this policy must be followed. It will serve the country; it will serve everybody without exception. The Kenya Broadcasting Corporation is run on public money and the Government intends to follow its money to the last cent and see that it is used well. We do not wish to sharpen a knife to cut our throats. The responsibility lies with the Government, the Government represents the Opposition and the Government.

(Question proposed)

(The question was put and carried)

[The Speaker (Mr. Slaide) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

VOTE 19—MINISTRY OF INFORMATION, BROADCASTING AND TOURISM

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Chairman, I wish to move:—

THAT a sum not exceeding £173,875 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 31st June, 1962, in respect of Vote 19—Ministry of Information, Broadcasting and Tourism.

(Question proposed)

(Heads A, B, C and D agreed to)

Head E—Replacement of Motor Vehicles

Mr. Khasakhala: Mr. Chairman, Sir, I would like the Minister to explain why these vehicles are to be replaced, what is going to happen to the old ones, and where the money will be used if they are sold and whether it is included in this or not, because to spend a sum of £1,700 on replacement without showing how the old vehicles have been disposed of and why we should replace them with new ones would be unfair to the taxpayers of this country. I would like the Minister to explain before we pass this Vote, Mr. Chairman.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): This allows for the replacement of two Land-Rovers which,

it is anticipated, will become beyond economic repair during the year.

Mr. Khasakhala: Mr. Chairman, are these Land-Rovers to be thrown off as scrap, or what is going to happen to them? If they are going to be sold, is the money included in the £1,700?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Chairman, if we do not make provision for them now we may find before the end of the year or the beginning of next year that we have no vehicles at all. The vehicles are very old now and they are not yet sold, but should the money come from the two old vehicles that will contribute to the revenue; they are included here.

(Head E agreed to)

Head F—Information Publications

Mr. Pandya: Mr. Chairman, could the Minister roughly give us an idea of what type of information publications he has in mind, and, in view of the changes which have taken place recently, whether he proposes to incorporate new ideas into these information publications. I would like some more information on this point.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Chairman, a saving of £2,000 over 1962/63 is due to the replacement of provincial newspapers by regional broadsheets. These include Central Government vernacular publications of posters, leaflets and magazines, as well as booklets in English for overseas distribution. This is very important because we must have some booklets in English to help to publicize our country, as I have been explaining this afternoon. We are to have a lot of magazines and these leaflets will be printed in several languages: Swahili and other vernaculars, including Kikuria.

Mr. Ngala: On this point, that is F, Mr. Chairman, Sir, I would like the Minister explain a bit, because here it is the only place where the county councils or the regional governments can have a chance of publicizing what they want to have put across to the masses in their own locations. Whether this provides for that and exactly what co-ordination or allowance the Minister makes in the provincial or regional offices to give opportunities to the regions, or the county councils when they have anything to put across. I am aware that the Minister is speaking for the Government, that is, the Kenya Government, but I would like to know what the Minister has as allowances for the regions and the county councils.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Chairman, we are fortunate in one way in that our Ministry is not affected by regional reorganization or arrangements. When we put out anything we will be replacing the newspapers by regional broadsheets; it does not mean regional authorities. But we will be serving the people in those areas; and when we say "serving" we must work together with the people in the regions but directions must come from Nairobi or from the Ministry.

If you look at it again I think our Estimate for 1963/64 is lower than 1962/63. So I do not think we can be accused of having raised it unreasonably but you must appreciate the fact that our publicity throughout Kenya, or for overseas distribution, in English is very important indeed.

Mr. Ngala: Mr. Chairman, Sir, I think the Minister has misunderstood me. I was not talking of the figures shown as low figures for 1963/64 as against 1962/63. I was talking, Sir, of the need of this money being spent effectively on information services which means that the regional officers of the Minister must have some kind of co-ordination with the Government on the grounds that the regional authorities and the county councils would like to know what machinery is there. Not just the question of receiving orders from Nairobi. What contact is there with the regional governments between these officers—regional officers—and the heads of these governments in the regions in order to spend the money effectively and in the interest of these local people. Obviously, the people in Nairobi may not know the area, may not know the needs of the local people, as the Minister himself has admitted.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Chairman, Sir, there is one thing which I must make clear here. We used to have provincial newspapers and these provincial newspapers will now be replaced by regional broadsheets. The people employed to do the job are stationed in the regions and they have their headquarters in what one may call the regional headquarters. They will be the people, or the officers in the field who know the people. They are not just officers posted only for a day; some of them have been there for a considerable time. I do not therefore understand the hon. Member's point and he can raise it again.

Mr. Ngala: My point, Sir, is this. I think the Minister is trying to avoid the point purposely.

The point is, I know that some of the officers are local people; it may be in the Rift Valley region, they are born there, and are brought up there. I do appreciate the point that they are local people.

My point is, what contact is there between these officers and the regional government officers, so that if the regional government wishes to put anything across, or emphasize anything, it is done according to what the regional government wants just as the orders that come from the Minister are carried out according to what the Minister wants. That is my point.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I would like to ask whether the hon. Member opposite would give an indication of what he would like to see so that we could compare as to whether it is the right thing that is being done. It is no use just talking generally as is done at the moment. He should tell us "This is exactly how we would like to see it done." Then if it is not done in that way then the Minister could say "Well we cannot do it in this way; this is the way we are doing it." The hon. Member was in charge of this particular Ministry, and the present Minister is doing it more or less on the same lines. Except that he has got certain improvements in the efficient working. It has now become so obvious of the working in the past that this would help the Minister, I am sure, to answer his question.

Mr. Ngala: I hope that the Minister for Finance realizes that we are working on a different Constitution; quite different from the one the Minister appears to be working on.

Mr. Chairman, Sir, if the Minister for Finance does not want us to query a Government expenditure then he should go back to his home. This is a Government expenditure which I want to query and it is our right to query an expenditure on the Estimates. All that I have put to the Minister is a question and I want a reply. I have asked the Minister whether he can explain to me what is done when a regional government has instructions that are to be put across to the people generally and emphasized in a way that the regional government appreciates. What instructions are given by the Minister to his officers to contact the regional authorities or the county council officers? It is a simple question to answer.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): The answer is simple. We prepare the material for the regions in Nairobi and we have the posters and the leaflets

[The Minister for Information, Broadcasting and Tourism] printed, and they are paid for by the regions. We are responsible for the editorial and the publication.

Mr. Seroney: The question which my hon. Leader has asked is: What arrangements are made for a proper liaison? He has correctly stated that his Ministry is not regionalised, but then it is supposed to serve the Government of Kenya, and the Government of Kenya is the Central Government and the regional governments. They all constitute the Kenya Government.

An Hon. Member: Is it in order that each time something is debated we must hear such things as *Malimbo* and regionalism?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Would you give us a ruling to the correct interpretation of the Kenya Government?

The Chairman (Mr. De Souza): I am afraid it is not up to me to give a ruling on the question of the Kenya Government, that is a question for the Law Department to decide in due course. I do not think it comes within the context of this particular debate just now.

Mr. Seroney: What I wanted to find out, Mr. Chairman—

An Hon. Member: Is it in order for the hon. Member to discuss the Constitution when the Minister for Information is dealing with his Vote?

The Chairman (Mr. De Souza): I do not think he is asking for a ruling on the Constitution, he is merely asking for some information.

Mr. Seroney: Mr. Chairman, the question which has been asked and which I do not think has been answered, is what arrangements are made at the regional level for proper liaison between the country authorities and the regional authorities, because both the Central Government and the regional authorities are properly considered authorities, each one has got a thing to put across to the people, they are entitled to make laws which have to be obeyed. Now, what is the liaison between these two authorities?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko): May I just explain this. Under the new Constitution, information is a Central Government responsibility, and it is our policy that our information service in the

field should cover the activities of the regional authorities as long as these are in the interests of the country as a whole, and as long as they do not conflict with the official policy of the Kenya Government. I would also like to stress that our staff are employees of the Kenya Government and would not, therefore, be expected to put out any information whatsoever which contravened the policy of the Government. Provided this condition is met our Press Office in Nairobi is free to hunt any important news releases on behalf of the regions. Our field officers will also be able to advise the regions on how best to meet their publicity requirements, such as the production of posters and leaflets. It is also emphasised that where expense is involved in the publication, staff will only be responsible for arranging for the material to be edited and printed.

I think, Mr. Chairman, that what is required of me here is some sort of policy, but in fact that has no relation to the Estimates which I have already explained. The first question was: How I was going to produce this money and I have already explained how I am going to use it. The other question is now involving the policy of our Ministry.

Mr. Seroney: The hon. Minister, Mr. Chairman, has said some more about the policy. I obviously do not expect him to do anything that is contrary to the Constitution, but surely that is rather a legal thing as to whether anything regions intend to do is constitutional or not? Is it not something to do with propaganda?

The Minister for Finance and Economic Planning (Mr. Gichuru): I would like to ask the Minister a question, Sir. Does the Minister agree with me that all the liaison that is needed in this particular issue is that which is contained in the Constitution, which the hon. Members opposite agreed to, and it is normal? If the Minister changes that particular liaison provided for in the Constitution, he will be contravening the Constitution himself.

The Chairman (Mr. De Souza): Mr. Moi, I hope you are not going to ask the same question again, because I think it has already been fully answered.

Mr. arap Moi: On this item, Mr. Chairman, there is no question of asking the same thing, but we are asking the Minister with regard to this question of publications. In the past there have been newspapers such as the *Nyanza Citizen* and other publications which people in various areas used to read and therefore the people in the country used to know what the Government had been doing in those areas.

[Mr. arap Moi]

Therefore, what we are trying to find out from the Minister is what does he intend to do in co-operating with the regional governments as to what should be put across to the people.

The Chairman (Mr. De Souza): I think this question has already been answered. I do not propose to go on with it. I have power under the Standing Orders to proceed to the next Head unless somebody moves that there is a reduction in the Minister's salary on the Vote. There is no such Motion before the Committee, and I think there is no point in continuing with this particular question and answer any further.

Mr. Seroney: The hon. Minister has talked about several languages in which different publications will be issued. I should like him to list them for the benefit of the House.

(Head F agreed to)

Head G—Miscellaneous Other Charges

Mr. Paadya: Mr. Chairman, this item, "Miscellaneous Other Charges", could the Minister give us some more information on it, particularly as he has taken the trouble to tell us that Government is spending £100 on official entertainment, when the whole item is over £14,000?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko): Mr. Chairman, in Item G provision is made for the maintenance and incidental running costs of the Ministerial Office, all the sections of the Information Services Head Office which include Press Office, Reference Library, Photographic Section and Photo Library, Publications Section and Despatch, Administration Section, Training Section and Nairobi Area Information Office.

It also includes equipment for various offices in places like Mombasa, Machakos, Nyeri, Nakuru, Kisumu and Bungoma. Bungoma was due to be opened on 1st July.

I think that answers the question, Mr. Chairman.

Mr. Ngala: Mr. Chairman, Sir, can the Minister give us some explanation of Official Entertainment, is it entertainment by the Minister, or by his provincial or regional officers?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko): Mr. Chairman the official entertainment covers the entertainment necessary to maintain the prestige of the Ministry and to provide hospitality to important visitors to this country. Our Ministry will be

meeting and dealing with a number of guests in Kenya, money magnates and tourists, and I think we need more than £100 to give these guests in Kenya suitable hospitality.

Mr. Ngala: Was this not covered under A?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I would also like to ask a question: Does the Minister think that this money is enough when we consider the importance of his office?

The Chairman (Mr. De Souza): Point of order.

Mr. Seroney: Is it in order for one Minister to ask a question of another Minister? Surely it is a collective responsibility.

The Chairman (Mr. De Souza): I do not see any objection to one Minister asking a question of another Minister. Normally, however, I would have thought that the Minister for Finance would have known the answer.

Mr. Seroney: The question asked by the Minister for Finance imports a suggestion to increase the expenditure, have you got the leave of the Governor to do it?

The Chairman (Mr. De Souza): I do not think the leave of the Governor is necessary here. He is not in fact requesting that further expenditure be carried out. He can make suggestions.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko): I have only given a few details and I should now like to go into this further. For entertainment we have only spent £450. Apart from Miscellaneous and Other Charges and apart from what I have described of the Information Offices at Mombasa, Machakos, Nyeri, Nakuru, Kisumu and Bungoma, there is another break-down of estimated expenses as follows: (a) office equipment £750, telephones £2,335, postages £1,500, freight and incidentals £2,000, electricity, water and conservancy £1,200, uniforms £250, library books and subscriptions £75. Altogether under (a) £8,310. And then under (b) we have the Photographic Section £2,700 (cost of materials and equipment, including the supply of colour film, processing and transparencies). Under (c) we have the equipment and stores. Supply of safari equipment £200, miscellaneous equipment of recording studio, including tapes, records, electrical fittings, etc.; £150, supply of eight new tape-recorders for field offices to replace obsolete models now in use £80, slide projector spares £80, supply of camera tripods for field offices £80, renewal of photographic equipment,

[The Minister for Information, Broadcasting and Tourism]

cameras, enlargers, glazing machines, flash equipment, etc. £300, provision of new set of mobile information equipment for the new region £250, Addressograph, frames, plates, cards, letter-heads, compliment slips and wrapping materials £150, Press materials, including London Press-cutting service, drawings, articles and photos from free-lance sources £450, Exhibition and shows, the continuation of our annual exhibit at the permanent stand at the Royal Agricultural Society of Kenya at Mitchell Park, and any other public exhibitions considered suitable, £250. And then we come to the small part I play, Udner Official Entertainment, Ministerial, Press and Public Relations, entertainment considered necessary to maintain prestige and afford necessary hospitality to important visitors during the year, £450, and then Maintenance of Plant and Equipment, £350. That, all together, comes to a total of £3,510.

Mr. Seroney: Mr. Chairman, the question has not really been answered because each Minister, as we know, has an entertainment allowance. This item is listed as official entertainment, who is responsible for that? Each Minister presumably has his own entertainment allowance, who is responsible for this particular item?

The Minister for Finance and Economic Planning (Mr. Gichuru): The answer to this one, Sir, is that as the hon. Member knows very well as a past distinguished Member and Parliamentary Secretary, this is a very small sum of money that is put aside, this is a big Ministry, a Ministry that must, as the Minister has said, maintain that amount of prestige which is necessary, a lot of people will be coming through here, and he cannot entertain all these people from his small entertainment allowance that he has and that is why he has this very small sum of money, a £100, it is necessary. My sympathy goes to the Minister in that it is because we are very hard pressed for money, we are so very short of money, otherwise I personally would have felt that it would be necessary to raise this sum to at least £300, but due to economy which we have to exercise, because of the shortage of funds, we have put in a £100 for this sum.

If the Minister came at a later stage in the year and claimed that a £100 was not actually enough, I would be extremely sympathetic and considerate and get a little money out of the funds, perhaps allocated for entertainment in the regions, and put them into this account.

Mr. Ndile: Mr. Chairman, we are not concerned with the size of the entertainment allowance, but I would like to know whether the Minister or the Permanent Secretary to the Ministry is responsible for this £100 entertainment allowance.

Mr. Anylen: Mr. Chairman, Sir, in view of the provision for miscellaneous expenses in my hon. Minister's Vote, may I suggest that we have some informative newspapers in the library from Uganda and Tanganyika, so that we can get some sort of an idea of what is going on in these other countries, in view of the fact that we are going to be in an East African Federation.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko): I am informed we already have several publications from Uganda and Tanganyika in the library.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Chairman, will the Committee now report progress?

The Chairman (Mr. De Souza): Yes, I think the Committee will interrupt business to report progress and ask for leave to sit again.

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

Mr. De Souza: Mr. Speaker, Sir, as it was time for the interruption of business, I have to report progress and beg for leave to sit again.

ADJOURNMENT

The Speaker (Mr. Slade): The Committee will sit again tomorrow. It is now time for the interruption of business. The House is therefore adjourned until tomorrow, Wednesday, the 10th July, at 2.30 p.m.

The House rose at thirty minutes past Six o'clock.

Wednesday, 10th July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—

Gold Mines Development Loans Account Balance Sheet as at 31st March, 1963.

(By the Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek) on behalf of the Minister for Natural Resources (Mr. Sagindi))

NOTICES OF MOTIONS

LIFTING OF LOAN AUTHORITIES BAN

Mr. Ndile: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the need to expand and promote the African business and trade all over Kenya, this House calls upon the Government to lift unconditionally the ban imposed on all loan authorities who had more than 20 per cent of their loans in default.

ADMINISTRATION OF THE BOK PEOPLE OF MALAKISI

Mr. Cheptikit (Specially Elected Member): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House is of the opinion that a separate location for the Bok people of Malakisi is an economical embarrassment and that the Bok people should be administered under Elgon Location and, with Wamono and Changara, be included in the Mount Elgon constituency.

MINISTRY OF CULTURE: SETTING UP OF

Mr. M. M. Mutiso: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House, being of the opinion that a people's culture is the backbone of a nation, calls upon the Government to set up immediately a Ministry for Culture or an appropriate department to revitalize and develop African culture, demoralized and discredited since the advent of colonial rule.

GOVERNMENT TO DECLARE YOUTH WING POLICY

Mr. Mbogo: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT the Government declares forthwith its policy with regard to the future of the Youth Wings of all parties in our independent Kenya in relation to landlessness, industries, employment and resettlement.

ORAL ANSWERS TO QUESTIONS

Question No. 18

DEVELOPMENT OF NATURAL RESOURCES

Mr. Barasa asked the Minister for Natural Resources: Was the Minister satisfied that an adequate and full geological survey of the Kimillili area in the Elgon Nyanza District had been carried out and in particular that the nature and extent of the water bore operations about 1962, which produced inflammable oil before being sealed, had been fully determined; if not, would the Minister arrange for such a survey to be made?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. Three comprehensive geological surveys have been carried out in the Kimillili area of Elgon Nyanza, one in 1936, another in 1952, and the last one, the third, in 1958. The results of the third survey have not yet been published. The area has been thoroughly surveyed—

An hon. Member: Is the Parliamentary Secretary right to call this side "Youth Wings"?

The Speaker (Mr. Slade): I did not hear him, but it is out of order.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): The area has been thoroughly surveyed and no further work is thought necessary at present.

The oil occurrence in a borehole at Kimillili Trading Centre was investigated by a Government geologist in 1952. Laboratory tests showed that the oil resembled kerosene and was entirely different from crude oil, and the only likely explanation of its occurrence was that kerosene had been introduced into the borehole accidentally.

Naturally occurring crude oil is likely to be found only in the sedimentary rocks of eastern Kenya, where two companies are currently drilling. The geology of the Kimillili area is such that an occurrence of crude oil is virtually impossible and no further investigations are considered necessary.

Mr. Towett: Mr. Speaker, Sir, could the hon. Parliamentary Secretary tell us why the investigations of 1958 have not yet been published?

• The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Because it is absolutely not necessary. Kerosene. Wasting the time of the people, Government labour, paper, at big expense for you to read: we are certainly not going to publish that.

Mr. Khasakhala: Mr. Speaker, Sir, will the Parliamentary Secretary tell the House why the Government spent this money and why it cannot now give this House, or the people in the country, a report on the matter on which the Government has spent so much money to investigate?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): The hon. Member for Emukhaya appears not to know that investigations have been done on three occasions, almost six years. They have had the best of the world really. Investigations have been carried out three times in that particular area and three times they have found nothing, except kerosene, which might have been stolen by people of and, in any case, was of little commercial value.

Mr. Khasakhala: Mr. Speaker, Sir, the hon. Parliamentary Secretary has not answered my question. If the Government spent some money on investigations, how is the country going to be satisfied that there was no oil in this area? Why should we not have a report on this?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Kerosene is very different from crude oil.

Mr. Khasakhala: What I referred to, Mr. Speaker, is a report. Are we going to have a report on this?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): No.

Mr. Khasakhala: Why?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): It is a waste of money.

Mr. Towett: Mr. Speaker, Sir, in his first reply the hon. Parliamentary Secretary did say—and I heard it correctly—that the report had not yet been published, which meant it was going to be published. Is it going to be published or not?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): No. It only means it has not been published, but it could be

published if the Government wished. However, the Government is looking after your petty interests, including kerosene dumped in Kimill. The Government is not going to waste Kipshis money for publishing a report which is useless.

Mr. ole Tips: Could the hon. Parliamentary Secretary tell us who accidentally did pour into this borehole the kerosene? If it was a Government servant, then what action was taken? If not, could he give a satisfactory explanation?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): That is a different question. Mr. Muliro, who is the Vice-Chairman of this conspiracy, comes from Kimill—

Mr. Towett: On a point of order, Sir, is the hon. Parliamentary Secretary right in referring to an hon. Member of this House just as Mr. Muliro?

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): I am sorry. The hon. Mr. Muliro.

The Speaker (Mr. Slade): We have had enough points of order and enough of this question, so we will go on to the next one.

Question No. 22

KEDOWA-KERICHO ROAD REPAIR

Mr. Kiprotich asked the Minister for Works, Communications and Power: Would the Minister tell the House why the road between Kedowa and Kericho was still impassable and repairs following on the land slide (that had not yet been completed)?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I beg to reply: Work is proceeding on repairs to the Kedowa-Kericho Road as fast as possible both by departmental labour and by contractor. The flood damage occurred on a difficult escarpment section of the road and it has been necessary to close the road to traffic while work is in progress. It is hoped to have the road open some time in September.

Funds for the repairs have been provided by the Road Authority.

Mr. Mongare: Mr. Speaker, Sir, arising from the reply of the Minister, is the Minister aware that another

..... (inaudible) could have been made a bit cheaper than the present road that is wasting all the public money?

The Speaker (Mr. Slade): Really that is not relevant. We are only concerned with the condition of this road.

Mr. Jamal: Mr. Speaker, Sir, could the Minister not tell the House that it is a matter of alarm that such extensive repairs had to be carried out so soon after the road was built?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, the road had to be repaired because of the floods which occurred, and we found it necessary to do this because the road passes through a very difficult escarpment.

Mr. Towett: Mr. Speaker, Sir, is the hon. Minister aware that his Ministry did promise the country that this road was going to be completed and be made usable within two months of the time when it collapsed? Is the Minister now telling us that the Ministry has been lazy and it is expected that this road will be completed in more than two months' time, as was promised?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I am not aware of that pledge. The pledge that was given by the Government was that it would be completed by September.

Mr. ole Tips: Could the Minister, Mr. Speaker, Sir, say when these floods occurred?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, this occurred during the heavy rains.

Mr. Murgor: When were the last heavy rains in that particular area?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I would refer the hon. Member to the Meteorological Department to find out when the rains occurred.

Mr. ole Tips: The hon. Minister keeps on referring to "sometimes"; we want to know when.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I do not think I can give the exact date and the exact hour when the landslide occurred.

Mr. Towett: Mr. Speaker, Sir, does the hon. Minister agree with me that he is not aware of what is happening in his Ministry? He does not know when this road collapsed.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I know what is happening in my Ministry far more than the hon. Member thinks.

The Speaker (Mr. Slade): Next question, Mr. Khasakhala, I think.

Mr. Khasakhala: Mr. Speaker, Sir, on behalf of my colleague, the Member for Kwale West, Question No. 16.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, on a point of order, do I recollect correctly in saying that you ruled in the previous legislature that notice must be given to you in writing. Has the hon. Member got this in writing, or the agreement of the hon. Member who asked the question, giving him permission to ask this question?

The Speaker (Mr. Slade): I never ruled that I needed notice in writing of an hon. Member agreeing to another hon. Member asking his question, but I did rule that a Member should not ask a question on behalf of another without his permission. That can be verbal permission and, as I have said before, an hon. Member should say if he has that permission before he asks the question.

Mr. Khasakhala: I have that permission, Mr. Speaker.

Question No. 16

EXPANSION OF TEACHER TRAINING COLLEGES

Mr. Khasakhala (on behalf of the Member for Kwale West, Mr. Matano) asked the Minister for Education: What plans, if any, has the Minister to expand in each region the present Teacher Training Colleges to enable the Government to start immediately compulsory eight years' free education in the country to cater for: (a) Adults both male and female; (b) Handicapped and disabled persons of all races; (c) Children of all races?

The Minister for Education (Mr. Otieno): Mr. Speaker, you will agree that this question is rather long and therefore I will take some time in answering.

The Speaker (Mr. Slade): You always have the alternative of giving a written reply. You do not have to give an oral reply here if you think the question is too long to be answered orally.

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, the question asked what expansion we are planning for each region. The answer is that no expansion is being planned on a regional basis. However, there is the normal expansion which has been planned over a length

[The Minister for Education]

of time and we are carrying out this. As teacher training is a national responsibility I do not want to be drawn into regional arguments. However, to maintain most effective results from our specialist staff who train teachers and from our expensive institutions it is proposed that this system should continue. Although, of course, we pay great attention to recruiting teachers from areas which are not well served, and in that way we serve those regions which do not have many teachers.

In the Kanu election manifesto we did mention that every child in Kenya shall have a minimum of seven years free education. I suppose the hon. Member had this in mind when he asked this question because he mentions free education for every child. That should be corrected to seven years' free education. It is noted that we never said "immediately", nor did we say "compulsory", nor did we say that we would compulsorily and freely educate all adults, both male and female. We had the aim and the intention of educating the young ones, and that we shall continue to do.

This House is aware that to introduce this scheme of seven years' free education will cost at least £6 million a year. Such a sum is not immediately available, but it does not prevent the Government from moving gradually towards seven years' free education for all children, provided those children are willing to learn and go to school. There is no intention of starting any form of compulsory free education for adults at all. The Government prefer to try to expand our very limited financial resources with the holding of adult literacy classes on a voluntary basis, provided that it is a self-supporting basis.

The Government cannot guarantee either to give free and compulsory education to all handicapped children, those are catered for in other ways, by the Salvation Army, and next year we hope to start a scheme of training teachers who will specifically be for teaching handicapped children. This will be in 1964, and we hope to open special schools for handicapped children in 1965.

Mr. Khasakhal: Mr. Speaker, Sir, could the Minister give the House special specific examples of the plans and where these schools are going to be established.

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I thought I said that we are not committed to follow the pattern of regionalism in teacher training. We shall continue our present teacher-training centres where they are now, but we shall expand them to meet the needs of the country.

Mr. Seroney: Is the Minister aware, Mr. Speaker, that secondary education is a regional responsibility and that it is wrong to neglect the regions?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, this question does not arise, we are talking about teacher training.

Mr. arap Moi: Mr. Speaker, Sir, would the Minister tell the House that it was a Kanu slip of the tongue in suggesting in its manifesto that it was going to give free education to the people?

The Minister for Education (Mr. Otieno): I am sure that on this side of the House there is nothing that could suggest that it was a slip of the tongue. We are not subject to slips of the tongue, we say what we mean and we mean what we say.

Mr. ole Tipsi: Mr. Speaker, Sir, the hon. Minister told the House that the handicapped and disabled children are catered for by the Salvation Army; would he, therefore, be so kind as to inform the House the amount contributed by the Government and the amount contributed by voluntary agencies, as well as the Salvation Army?

The Speaker (Mr. Slade): We are only concerned with teacher training here and the cost of secondary education has nothing to do with the question. What are you referring to?

Mr. ole Tipsi: To the training of teachers.

The Minister for Education (Mr. Otieno): Mr. Speaker, I do not see what teachers have to do with deaf and dumb people. I thought the hon. Member was referring to deaf and dumb people. When we talk about handicapped children we are talking about those who have got some illness which does not allow them to learn normally. I could perhaps help hon. Members by saying that those who are merely lame are trained in normal schools where normal children are trained.

An hon. Member: What about the teachers?

The Minister for Education (Mr. Otieno): The teachers are, as I said, being trained. We have not got the teachers at the moment, but we have this scheme for training them.

Mr. Khasakhal: Mr. Speaker, Sir, unless it has escaped my understanding, could the Minister tell the House of Government's plan for training teachers to teach the handicapped and disabled children at secondary level? As far as I know the present teacher-training centres are based on a racial level. The question has not been answered.

The Minister for Education (Mr. Otieno): I would like to point out, Mr. Speaker, that the hon. Member is not very accurate in his statement. I agree that there is a lot to be done in training teachers for handicapped children and the scheme is only a new one; it was not there before. We relied on voluntary agencies previously, but, as I have said, the Government has got positive steps to begin training these special teachers in 1964. However, I do not agree that Teacher Training Centres are any longer racial.

Mr. arap Moi: Mr. Speaker, Sir, would the Minister tell the House whether the Government, or whether his Ministry, has some plans to provide teachers who can teach adults in order that the masses of our people could know how to read and write?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I have no plans for teachers to teach adults. The Government, however, has plans for teachers to teach adults. Not in my Ministry.

Mr. Shikuku: Mr. Speaker, Sir, arising from the reply of the hon. Minister for Education. He did tell this House that it was going to cost the Government about £6 million to have free education, but he did not tell this House when this free education for the children was going to commence.

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I repeat again. The Government will take its time in implementing this scheme.

NOTICE OF MOTION ON ADJOURNMENT

ARRESTS OF WOMEN IN NAIROBI

The Speaker (Mr. Slade): I would remind hon. Members that Mr. Shikuku is to raise a matter on the adjournment.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Did I understand, Sir, that you directed Mr. Shikuku to consult the Minister concerned before this matter was raised today?

The Speaker (Mr. Slade): Yes. As a matter of courtesy he should consult the Minister on what he is about to raise. It is not absolutely essential. It is not only courtesy to the Minister, but it is also likely to produce a more satisfactory answer if the Minister does know in advance exactly what the hon. Member does want to know. I do not know if Mr. Shikuku has been able to do that.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir. After you had told me to do so, I tried my best to get in touch with the Minister who, I understand, is outside the country; I tried to get in touch with the Parliamentary Secretary to the Ministry. Unfortunately, I could not get hold of him last night and this morning he is not here even now.

The Speaker (Mr. Slade): Perhaps Mr. Mboya will indicate which Minister will answer. Mr. Shikuku could then tell him something about it before we have reached the adjournment.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, it is the question of which Ministry Mr. Shikuku thought he was dealing with.

Mr. ole Tipsi: Mr. Speaker, Sir, did I understand you correctly when you said that the consultation between Mr. Shikuku and the Minister is only a matter of courtesy and not a compulsory part of the issue?

The Speaker (Mr. Slade): As a matter of courtesy, and it is also to help the hon. Member to be more sure of getting a direct answer to his question, but it is not vital to do so.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): The hon. Member for Butere certainly appeared not to know where he wants to move his Motion. It does not matter if we ask him to withdraw until he makes up his mind.

Mr. Towett: Mr. Speaker, I am seeking your clarification on this point of order. When a Motion on adjournment is given in this House is the Government not simultaneously informed?

The Speaker (Mr. Slade): No. As I pointed out yesterday, the actual description of the matter which I give is always very brief, and it may not be sufficient to appraise the Government fully of what the point really is. I think in this case, actually, it would be clear enough from newspaper reports what the point is, but it may not always be.

BILLS

CONSIDERATION OF REPORT AND THIRD READING

THE ESTATE DUTY BILL

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, a Committee of the whole House considered the Estate Duty Bill last week and reported its consideration with amendment.

(The Minister for Finance and Economic Planning)

I now beg to move that the House doth agree with the Committee in the said Report.

The Minister for Commerce and Industry (Dr. Kiiano) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I now beg to move that the Estate Duty Bill be now read a Third Time.

The Minister for Commerce and Industry (Dr. Kiiano) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

SECOND READINGS

THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) BILL.

The Minister for Health and Housing (Dr. Mungali): Mr. Speaker, Sir, I beg to move that the Medical Practitioners and Dentists (Amendment) Bill be now read a Second Time. The Bill makes no fundamental changes to the law, but certain amendments have become necessary because of the changes in the circumstances of East Africa and the outside world. The amendments proposed are briefly these:—

1. The registration fee of Sh. 60 for a medical practitioner or a dentist dated back to 1910 and it is now considered to be inadequate. It is therefore increased to Sh. 100.
2. The amendment gives full recognition to graduates of Makerere Medical School. Before they did not have full recognition. The holders of this degree are recognized by the General Medical Council of the United Kingdom.
3. It improves the drafting of the existing section 12 by stating specifically the full name of the Board which is the Medical Practitioners and Dentists Board. Before the dentists were omitted.

4. The amendment brings up to date the requirements for licensing of medical practitioners and for the first time it includes the dentists. In order to maintain high standards of medical practitioners only those qualifications accepted by the General Medical Council of the United Kingdom are registrable in Kenya. However, the Director of Medical Services and the Board may license medical practitioners who hold a degree which is registrable in the country where they were trained, either to work for the Government or with the consent of the Board in areas where there is a shortage of medical practitioners.

The other amendments are of little importance. They just clarify the drafting of the existing sections.

Sir, the enactment of this Bill will not incur increased expenditure of public funds.

With this, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

Mr. Towett: Mr. Speaker, Sir, I do not have much to say on this. Firstly, I know nothing of what the doctors talk about. Secondly, this Bill is very brief indeed.

However, I would like to ask the Minister to explain to me, under clause 9 (f), whether the words "surgery" and "midwifery" are combined as one or is it "surgery and midwifery". Clause 9, Sir, reads like this: "... provided that no person shall be licensed under this section as a medical practitioner unless he is entitled to practise medicine, surgery and midwifery by the law of some place outside the United Kingdom.", and so on and so forth. What I am querying here is whether surgery and midwifery are thought of as one or are they two separate things? I hope the Minister, when he replies, gives me an explanation.

My second point, Sir, is on clause 14, where we are told that if a person has worked for the Government of this country for some years and the Government wishes to have him registered as a medical practitioner or a dentist, then he could have registration conferred upon him, if he has performed meritorious service for the Government as a medical practitioner or a dentist. It is meritorious service, Sir, which I am querying here. I do not know what the Minister has in mind when he uses such a vague term of understanding and meaning. Is it meritorious to the Director of Medical Services, meritorious to the

(Mr. Towett)

public or meritorious to the Minister, or meritorious to the Minister, or meritorious to whom? In any case, the point is this. With all this merit and meritorious service, is this person going to be registered as a medical practitioner or dentist as a privilege because he has worked in the Kenya Government, or is it because of his ability and capabilities? If it is as a sort of medal being given to him—something like M.B.E. or O.B.E.—that is something different, Sir, but what I want the Minister to explain to me is whether this man will be registered because of his ability and capabilities or because the Government wants to confer on him just the possibility of practising as he has worked for the Government. I want this to be clarified and I hope the Minister has understood what is going on in my mind, although I may not have put it very clearly.

On the same clause towards the end of the clause—that is clause 14 (f)—there is provision that a man allowed to be registered as a medical practitioner could have his certificate or licence cancelled later on if he does not comply with the regulations laid down at the time of consideration. What I want to point out to the Government is, after allowing a person to have the necessary equipment and to practise as a dentist or a medical practitioner, it looks a little odd to cancel his licence without paying him some damages for the things he has purchased. I want the Minister to tell me whether, when the Director of Medical Services decides to cancel the licence of Mr. X, the Government is going to pay this man damages in view of the expense he has incurred in setting up his practice. I want the Government to tell me that, Sir, and if the answer is yes, damages will be awarded, I will be very happy.

At the end of the clauses, Sir, there are some facsimile forms of licences, and at the end of each of these there is "Director of Medical Services". I was wondering whether it was not high time to remove the term "Director of Medical Services" and put instead the term "Minister for Health and Housing". We have been shocked by all these directors during the past when the imperialists have been in power. There have been directors for everything. Now, with the new Government in power and going into independence, we should have a Minister in place of all these directors who have been shocking us whenever we see anything licensed. I want the Minister and the Government to consider putting Ministers in places where directors do occur, Sir.

Having raised these few points, Sir, I do not object to supporting this Bill.

The Parliamentary Secretary, Prime Minister's Office (Mr. Chaman Singh): Mr. Speaker, Sir, I am a layman like the hon. Member who has just sat down, but I do not find any difficulty in understanding the provisions to which he has referred. The matters to which he has drawn our attention relate to doctors who have not got full registrable qualifications. There is no change in the law as far as I know in fact. These doctors with some professional qualifications are even now licensed, they are not registered; they are licensed for practice if they are in Government service or if they are in some recognized institution.

The new section 14 to which the hon. Member has drawn attention referred to these very people. They would not normally be entitled to practise, but because of the service that they have rendered to the Government they have obtained valuable experience, and that experience makes up for the lack of qualifications to some extent, and for that reason they are allowed to practise medicine at the discretion of the Director. The Director is the proper person to know whether or not a person is really entitled to practise. We are lucky just now in that we have a qualified doctor as the Minister, but his successor may not be a qualified doctor. Matters like this should be decided by the professional head of the doctors. I personally think—I do not know what the Minister thinks—that matters like this are of a technical nature, the qualifications of the man, the fitness of the man to practise when he has the requisite qualifications. These are matters which should be within the discretion of the professional head, rather than of the complete head of the Department.

Mr. Kall: Mr. Speaker, I would like to know something concerning the Africans whom you may call witch doctors. We know of some kinds of medicine—or you may call it anything—which have been very useful for centuries, and I wonder whether the Minister has in mind a plan to try and set up a committee of inquiry into the possibilities of improving some of these medicines and—

The Speaker (Mr. Slade): Mr. Kall, this is outside the scope of this debate. If we were debating the principal Bill concerning doctors, then your point might well be within it, but when we debate a Bill for amendment of a law we are limited entirely to the subject of the amendment. I am afraid that does not let you in.

The Minister for Health and Housing (Dr. Mungali): Mr. Speaker, Sir, I will be very brief

[The Minister for Health and Housing] in my reply to the hon. Member opposite. Surgery is different from midwifery. That answers the first question.

The second one was very well answered by the hon. Mr. Chanan Singh, but I would like to expand on it. Maybe he would like to know the difference between licensing and registration, and maybe if he has about it will be clearer. If the hon. Member knew about it he would not ask that question, because it should have been very clear, but we accept registration of doctors who are recognized by the General Medical Council. Licensing is more restricted, but enables us to qualify doctors to practise legally in Kenya subject to the approval and direction of the Director of Medical Services. This is sufficient for the moment to give us the necessary legal power to employ doctors of veritable qualifications from all over the world.

You will find, Sir, that some of these professionals lose their licences because of some breach in their expected behaviour, and if the Board and the Director of Medical Services find it necessary to cancel their licences they should do it without refunding anything. We have to keep up the reputation of the profession.

Sir, the hon. Member said that now we have an African Government it is not therefore necessary to have a Director of Medical Services. The Director of Medical Services will very soon be an African, so it will not matter very much because he will not be a colonial, he will be under this African Government and therefore this will not apply. Besides, as it was explained to this Member by another hon. Member, one of these days the Minister of Health may not be a doctor and so he may require somebody who really knows and understands the profession to work very closely with him and the other professional people in the Ministry. Therefore, I find this to be in good order and with this I beg to support.

(The question was put and carried)

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

THE EXCHANGE CONTROL (AMENDMENT) BILL

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the Exchange Control (Amendment) Bill be now read a Second Time.

In moving the Second Reading of this Bill I would like to make a few observations. Over the past two or three years considerable interest has been shown by residents of the non-scheduled territories, that is outside the sterling area, in

making investments in Kenya. When a foreign investor from outside the scheduled territories sets up a company in Kenya he establishes a liability against our external account to pay dividends or profits to the country from which the investments came, together with the responsibility to repatriate the capital in the event of the company being wound up. The Kenya Government acknowledges this liability by an administrative act of granting approved status to the foreign investor. The authorizing of the registration of the shareholding by a non-resident under section 15 (c) has to be done, this deals with the capital investments, dividends and profits accruing from the investment. Because of the provisions of section 32 (3) many foreign controlled companies import loan money which is interest bearing. Once again this creates a liability against our external account. Here again approved status is granted by an administrative act.

The administrative act of granting approved status is only taken after a bank has certified that the money has been received from an external account. A register for all money granted approved status has to be maintained and kept up to date. Over the first two years many companies which were ignored, or were ignorant of the Exchange Control Ordinance, have now come forward with applications for approved status. These applications entail a considerable amount of work. Members may be interested to know that when I recently met some Swiss bankers in Lugano, it was the efficient manner in which their business had been transacted in the Kenya Treasury that played no small part in confirming their confidence in making investments in Kenya. It is for the benefit of Kenya that this confidence continues.

I pointed out in the Memorandum of Objects and Reasons on this Bill that the amendment under clause 3 seeks to insert a new clause under which the Minister described fees as payable on application for any permission that requires his authority. This is related to the fact that a considerable amount of research on the part of the Treasury is often required to establish whether this consent or authority should be given. It is proposed to charge, firstly, (Inaudible)

£15 per annum for the Exchange Control Authority to merchants and hoteliers to accept foreign currency in payment for goods and services. This is the same rate charged to money changers under the Brokers Ordinance, Cap. 577. The estimated annual income from this source is £4,500, based on the number of annual authorities now issued. Secondly, for other authorities the fees will vary between £1 and £5, this will

[The Minister for Finance and Economic Planning]

result in revenue approximately of £1,500. In other words, the total revenue from these measures should be approximately £6,000.

Mr. Speaker, Sir, I beg to move.

Mr. De Souza seconded.

(Question proposed)

Mr. Towett: Mr. Speaker, Sir, the Minister has told us that one of the reasons why he wants this Bill to go through is that because there is a lot of precise work in the Treasury sometimes a lot of hard work is done. This work, of course, involves some of the officers there and they have to work on these particular items instead of their usual work. Then the Minister, in conclusion, said that the revenue from these steps that are to be taken will be about £6,000. Therefore, what I want to find out from the Minister is whether he is going to use this £6,000 to employ extra staff in the Treasury so that this extra work—he said there is a lot of extra precise work—is taken up by these new people who are employed. I find that unless the Minister does that it is pointless to hear from him that there is extra work in the Treasury which makes some of the officers in that Department do research work. Yet, the Minister does not tell us that he is going to use the money that he expects to get as revenue to employ extra staff. I want the Minister, when he replies, to make this very clear to me, there seems to be a lot of consternation, but maybe the Minister's calculations are wrong.

Mr. Speaker, the Minister says that clause 2 introduces a minor verbal correction. While agreeing that clause 2 introduces a minor verbal correction I want to spend a lot of time on this so as to prove to the Minister that this is not a minor verbal correction. I want to spend some time speaking about this minor verbal correction. When the principle Ordinance was enacted why was not this word "any" not included? Does the Minister mean to tell us now that he has found some cleverer and more intelligent people who can outwit the people who were there when the Ordinance was introduced, and they have now discovered that there was an error made and the word "any" should now be included? This, in my opinion, Sir, is not a minor verbal correction, if it were I would ask the Minister not to exploit it here. Anything that comes into this House and can be taken up by hon. Members is not a minor verbal correction. I have taken up about five minutes speaking on it, and if you multiply the time taken by all the Members it will amount to a lot.

An hon. Member: You are wasting time.

Mr. Towett: I know I am, but I did say that I wanted to take a lot of time on it to prove to the Minister that this is not a minor verbal correction. I want the Minister to know this.

With those few remarks, Sir—I hope the Minister will explain to me the points I have raised, and that he will see that this word "any" is not a minor verbal correction—I beg to have no objection in supporting this Bill.

An hon. Member: Nonsense!

Mr. Towett: On a point of order, Mr. Speaker, did I understand an hon. Member opposite to say "Nonsense"?

The Speaker (Mr. Slade): If any hon. Member said that, it is completely out of order. If no other Member wishes to speak I will call on the Mover to reply.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I did make it very clear that the £6,000 is revenue and, therefore, there is no question of my employing extra staff. This is a job that these people require and I feel that it is only right and fair that they should pay a small fee, as I have mentioned. That is all, it is revenue.

The question as to whether the change of two words in clause 2 is minor or not I do not think we need quarrel about. I still maintain it is just a minor verbal correction, but perhaps this kind of language is a little beyond the understanding of the hon. Member opposite, and I can assure him that it means just that it is a minor verbal correction. Any amendments, no matter how small, to the Ordinance, must be brought to this House. I could not have corrected it in the office and left it at that. This is the correct procedure if he does not know about it.

(Question put and carried)

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

THE INSURANCE COMPANIES (AMENDMENT) BILL

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the Insurance Companies (Amendment) Bill be now read a Second Time.

The Insurance Companies Ordinance, Chapter 487, came into operation in May, 1961. Insurance companies of doubtful financial stability became aware of the loophole in the Ordinance under section 36, which reads as follows, I quote: "Where a person who carries on insurance business has,

[The Minister for Finance and Economic Planning] before the 4th October, 1960, ceased to issue in Kenya new policies of insurance the receipt of premiums, or the making of payments, under or in respect of any policy issued before that date shall not be deemed to continue the carrying of insurance business for the purpose of the Ordinance. As these companies therefore ceased to put their business right before October, 1960, they were exempt from having to apply for a licence although they have continued to collect premium income for their closed portfolios. However, there is no control over these companies on the spending of premium income or even if they invested it for the benefit of policy holders, which was one of the main reasons for introducing the Insurance Companies Ordinance in the first place. As a result of consideration of this subject by the insurance advisor report the proposed amendment seeks to obtain the necessary authority to control the activities of companies who hitherto had no obligation under the Ordinance. Mr. Speaker, Sir, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyko) seconded.

(Question proposed)

Mr. Towett: Mr. Speaker, Sir, I will not take long on this.

The hon. Minister in the Memorandum of Objectives and Reasons says that, Sir, and I quote: "Some insurers in Kenya continue to conduct life assurance business without licences although their financial soundness, which may involve large sums of money ultimately payable to policy holders under life assurance contracts due to run for a considerable number of years, cannot be ascertained by the Registrar." What I am trying to find out from the hon. Minister is this, if I had been more enlightened I would support the Minister in the steps he is going to take, if he could be more definite in the use of the term "some insurers in Kenya continue". If he could give some examples of what he means by that remark, because when we are only told some insurers, Sir, there is no enlightenment, no elucidation, no elaboration, nothing in our minds to give us guidance. If the Minister could say, i.e. for example, I would be very grateful and I would have no objection in supporting this Bill.

The Minister for Finance and Economic Planning (Mr. Gichuru): I have no intention, Sir, of giving any examples. Some of these companies have ceased functioning and I do not think it is fair that I should give their names. All that I want

is a little more authority to ensure the public money which comes under their control is well looked after.

(The question was put and carried)

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

THE REGISTERED LAND BILL

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that the Registered Land Bill be read a Second Time.

Mr. Speaker, this is a very long, rather complicated, highly technical Bill dealing with the ownership of land and the transfer of the various charges connected with it. I do not propose to deal with the 165 clauses of which the Bill is made up, and I would give notice to the House that I shall be moving, I am afraid, a rather long series of amendments at the Committee Stage, mainly to bring the Bill up to date with the present Constitution, the Bill having been drafted before it came into being. I am sure the House will realize that a Bill of this nature takes very many months, if not years, to prepare and it has been in the pipeline for some considerable time.

Perhaps I should make it quite clear, at the outset, that the Bill in no way deals with the state or regional control over land itself, it remains unimpaired as set out in the constitution, and therefore, the regional control over the transfer of land is not in any way affected by the Bill which is before the House today.

Mr. ole Tiplis: What about the tribal control?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I am sorry, Mr. Speaker, but I am unable to go further down the scale than regional control. Tribal control, I feel, is a regional matter.

The present law governing the registration of title and dealings in land is contained in five ordinances which are: the Registration of Documents Ordinance; the Lands Title Ordinance; the Crown Lands Ordinance; the Registration of Titles Ordinance and the Land Registration (Special Areas) Ordinance and the Transfer of Property Act of 1882 of India. In addition, by virtue of section 42 of the Kenya Colony Order-in-Council 1921, in so far as these Ordinances and Acts do not apply in extent to common law and doctrines of equity and the statutes general application in force in England on 12th August, 1897, apply.

[The Parliamentary Secretary for Lands and Settlement]

The outcome of this mass of legislation is that there are four different systems of registration of land. There is the simple system of deed registration, under the Registration of Documents Ordinance; there is the more complex system operated under the Crown Land and Land Titles Ordinance, there is the registration of title in the strict sense under the Registration of Titles Ordinance, and there is the more simple form of registration of titles introduced by the Land Registration (Special Areas) Ordinance, which, I do not know whether Members of the House know was brought in with particular reference to land consolidation and has subsequently been applied to the settlement areas.

You will understand there are certain consequences of these four systems and it was thought necessary to tidy up this whole question of land registration and bring it under one Bill. The question was, which system to choose, and it has been decided, after considerable discussion with the Law Society, in particular, that the best method is that which was introduced in the special areas to which I have referred. It is a simple method and I will refer later on to the difference, the basic difference, between this new method and those of the past. It has been found to be defective in certain respects: that is, the Ordinance relating to these special areas which is known as the Land Registration (Special Areas) Ordinance. The defects are mainly of a technical nature which have been taken into account in the presentation of the present Bill.

The Bill before the House today is the result of these efforts and it sets out to establish a complete code of property law which will provide, first, machinery of registration and, secondly, all that is considered necessary for the practical needs of land owners in regard to the security and proof of and the creation and transfer of interest in land, whatever those interests may be. They will, of course, include such things as the charges over that land by virtue of the fact that there are bodies which loan money and therefore they exercise a charge which is all part of this Bill.

It provides for a state land register in respect of every area to which it is applied and will show the freehold interest in respect of every parcel of land in that area, together with every other interest emanating from that freehold, whether the land is publicly or privately owned. In the initial instance, this Bill will apply automatically to the special areas to which I have referred. It will apply progressively to other areas as and when the Minister so determines. I think it is

obvious and will be appreciated by Members of the House that it is impossible for the country to turn over to an entirely new system of registration overnight. When each separate area is so ready the Minister will decree that the Ordinance will apply to it, but it may take perhaps a period of years for the whole country to come on to the new system.

The cost of operating the land registries will, when they are in full operation, be covered by a fee revenue and it will be, under those circumstances, a self-supporting service. Even at the present time when several registries are in their infancy the cost to Government is very small, but as you see in the Bill, it may that there will be a small initial cost to Government. However, over all, this will be a self-supporting service.

The Bill was considered and discussed by the Law Society of Kenya and I would like to thank all those who have helped in the production of this Bill for the work that they have put in.

There are three points which I would like to make in conclusion on this Bill. One of them has been a question of some comment, particularly in the Press, and particularly from the coast, and it concerns the closure of the registration office at Mombasa. It will be closed after the Bill becomes law and the registers will be very rapidly brought on to the new system. It is our intention, because there is a separate registration office in existence at the moment at Mombasa, to give Mombasa priority in this regard, and although the work actually of bringing the new registration to existence will be done here in Nairobi, as soon as this is complete—and it is hoped this will not take, perhaps, more than two months—a new district office will then be reopened in Mombasa on the new registration.

The second point is that I would like to refer to the method in the settlement areas as regards the new registration. As soon as the registry maps are available, each settler will get his title under the Ordinance to which I have referred, and the charge—that is, the registered organization which has provided the loan money—will in future be the Settlement Fund Trustees; it was in the past the Land Development Settlement Board.

Finally, Mr. Speaker, Sir, in a word, the main difference between the old Ordinances and the Special Areas Ordinance, on which the present Ordinance is based, is that in the old Ordinances all of them required a very accurate survey with beacons of settlers supported by deed plans. The method which was used in the special areas, which was first used in land consolidation and has since been used, in settlement areas, is a reflection of what is actually on the ground and this is re-

[The Parliamentary Secretary for Lands and Settlement]

flected in the registry map and is normally made from aerial photographs. It is, therefore, a very much simpler and more rapid method of determining the demarcation of a man's land. I am sure the House will understand that without some such method as this we could not possibly have proceeded with the speed we have, either in land consolidation or in settlement areas.

Mr. Speaker, Sir, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onyok) seconded.

(Question proposed)

Mr. Towett: Mr. Speaker, Sir, I find myself a little handicapped as far as this particular Bill is concerned. The hon. Parliamentary Secretary has just told the House that he is going to bring up a lot of amendments, mainly in the nature probably of changes in terminology, such as the removal of the word "Governor" where it appears, and things like that. I do not know what to attack at the present stage, because I may be attacking what he is going to bring up as an amendment, and I do not know what to support at the moment and—

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Will the hon. Member give way?

Mr. Towett: Yes, I do not mind.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, on a point of explanation, all the amendments are set out in today's Order Paper, and therefore the hon. Member should be in a position to know what the amendments are going to be.

Mr. Towett: I am sorry for that oversight, Mr. Speaker. I have been concentrating on the Bill itself; I did not look at my Order Paper properly.

I would like the hon. Parliamentary Secretary to explain to the House the simpler meaning of clause 5. I fail to understand what clause 5 is trying to achieve, or is trying to explain to us. If I may quote, Sir—it is a very short clause—it reads as follows: "For the purposes of this Ordinance the Minister may, by order, constitute an area, or areas, of land a land registration district or land registration districts, and may at any time vary the limits of inside districts." That is under clause 5, Sir. I want the hon. Parliamentary Secretary to give us more explanation of what that means later on, if he does understand it completely, Sir.

Under clause 38 we have a reference to the Law Society. Clause 38, subsection (iii), reads as follows: "The Minister, after consultation with the Council of the Law Society of Kenya, may prescribe terms and conditions of sale which shall apply to contracts by correspondence. . . .", I do not want to read the whole clause. I do not see what connexion the Minister has with the Council of the Law Society of Kenya. I want the hon. Parliamentary Secretary to tell us later on what marriage is in existence between the Minister and the Council of the Law Society of Kenya. This is for my benefit; I do not understand this. I thought the Council of the Law Society of Kenya was a separate body of qualified lawyers and advocates, and I do not see how it is brought into the decisions of the Minister in this particular case. If it is the intention of the Minister to seek advice and to seek direction because of ignorance in the Ministry, Sir, then he should be seeking advice, but this phrase "after consultation" seems to me as if we are bringing the Law Society into the running of Government Ministerial matters. I want the hon. Parliamentary Secretary to explain the connexion later on, Sir, to me.

Coming back to clause 26, there is reference to repeal and I would like the hon. Parliamentary Secretary to give us more detailed information on repeal than is given here in this Bill. The Bill, Sir, is usually a sort of abridged document with legal terms, and so on, but with the new Members in the House I would ask the hon. Parliamentary Secretary to explain what the whole of clause 26 is aimed at.

Those, Sir, are just a few points which I wanted to bring to the notice of the Minister and now, if I may study my Order Paper and look at the amendments, so that I am ready to challenge the hon. Parliamentary Secretary tomorrow, I do not object to the Bill being passed.

Mr. Seroney: Mr. Speaker, Sir, I beg to move that this Bill be read a Second Time six months hence.

Mr. Speaker, Sir, in our view this Bill is totally unnecessary. It is unnecessary because we on this side of the House consider that there is considerable haste on the part of the Central Government to get things through before everybody is aware of the constitutional position as regards everything.

Mr. Speaker, Sir, I know that with the artificial majority which the Members opposite have, my Motion will be defeated, but we register it on this side of the House on behalf of all the groups particularly in the Rift Valley, on the Coast and the Western Region, because we do not really

[Mr. Seroney] consider this Bill to be timely. We have a complicated Constitution which we still have to sort out.

Mr. Speaker, Sir, hon. Members opposite have said "When", and I would suggest if the hon. Members opposite did not adopt an ostrich attitude it would help the public as they have the money and the publicity machinery in clarifying the situation. There is no need for this Bill at the moment.

Secondly, I would suggest, and I am now speaking on behalf of my two constituencies, that the hon. Minister would be doing a great service to my two constituencies—Nandi North and Nandi South—

-Hon. Members: Why two constituencies?

Mr. Seroney: Hon. Members opposite have said "Why two constituencies", but then it was a previous Government which made it possible for me to have the two seats.

I was speaking on behalf of my district as the former Member for Nandi and also as the actual substantive Member for Nandi. This Ministry, on behalf of which the Parliamentary Secretary has spoken is the Ministry of Land; and as the Ministry of Land the people in Nandi District are anxious to have land registration—I will not call it land consolidation because our problem was not the same as in the Central Province—speeded up.

Hon. Parliamentary Secretary has queried what are they doing at the moment. But then, of course, we are short of staff and I would appreciate it if the hon. Parliamentary Secretary supplies us with more staff in order to speed up land registration because we want to have this as soon as possible.

With these remarks, Mr. Speaker, I move that this Bill be read a Second Time six months hence.

The Speaker (Mr. Slade): Do you second the amendment?

Mr. ole Tipsi: Mr. Speaker, Sir, I beg to second the amendment that this Bill be read six months hence.

As the Mover of the amendment rightly stated, this Government seems to be in such a hurry; they are worried over their positions; they are worried that sooner or later they will have to come to their proper senses.

Now, having said that, Sir, I think there is one thing which is very vital in this Bill. First of all, the Bill was moved by my friend, the hon. Parliamentary Secretary for the Ministry of Lands and Settlement. This, land and settlement, are two separate issues, according to the way our people understand it. The settlement and the land rights are vested in different people. First of all, Sir, when you consider what my friend termed the special areas, surely the land in these special areas, the land rights, are vested, according to the Constitution—if we understand it properly—in the tribal authorities. If for one do not see any earthly reason why the Central Government should try to interfere in something which is specifically stated in the Constitution. That has nothing to do with them. If it is the question of maintaining a register we, on this side, do not oppose such a register provided that in order to keep a Central Register every tribal land authority is the only power which will register land, or have it transferred, and so on, in areas where it has jurisdiction. Then if we want to compile a Central Register surely we can always make duplicate copies and send them to Nairobi for the Central Government to have a look at and then to place it in one big register.

Having said that, Sir, the second point which really surprises me is this. It is clear, according to the Lancaster House Constitution, that any Crown land within or in the neighbourhood of the African Land Unit will be transferred to that particular tribal land authority. I do not therefore see how the Central Government Council can tamper with these things. The same Crown land in the Scheduled Areas will go to the appropriate regions. So, it is the business of the regions to look after the regions and not the Minister for Lands and Settlement. After all, if my hon. friend remembers rightly, the African people of this country have never accepted such a terminology as "Crown" land. We still believe that the land is African land which belongs to the indigenous people of this country and to our friends who have settled there. Not to the British Crown. Make no mistake about that.

An hon. Member: It is a National asset.

Mr. ole Tipsi: National asset. You can only say that when it suits you. But the land belongs to the African people, whether people like it or not. To the African people; that is a fact, Sir. The Minister must say so; the Minister who is just sitting there and expects that the Parliamentary Secretary will do all the spade work for him. They have no right over anybody's land.

[Mr. ole Tiplis]

If this Government is out only to copy the mistakes of the previous Government over land transactions then it might as well face the consequences of the error of judgment. We know very well, Mr. Speaker, that land has been, and will continue to be, one of the bones of contention in Kenya's politics. Land is the property of its rightful owners. I can hear a lot of shouts on the other side but I want to make the position very, very clear. The Masai land is the property of the Masai, the Luo land is the property of the Luo.

The Speaker (Mr. Slade): It is the third time now, I think, I have had to tell hon. Members on the Government side to control themselves. If I have to rise a fourth time, any hon. Member I see sharing in the noise will be ordered to leave the Chamber.

Mr. ole Tiplis: Thank you, Mr. Speaker. The Masai land is the property of the Masai people or the members of that particular tribe and the Luo land is the property of the Luo tribe. The Kipsigis has his land. But when one says that because simply we are all Africans then we share our property equally that is one of the things which no sensible or logical person will agree to. We have property, we can share on agreement but not by false pretences.

The Speaker (Mr. Slade): The Bill deals only with the registration of land.

Mr. ole Tiplis: So, Sir, in order to cut short my speech, what I would like to suggest seriously is this. If it is a question of land registration we have no quarrel with this point of land registration provided that the power for such land registration is vested in the right owners of that particular land. Not in the Central Government or the Minister or anybody else, for that matter. If in the Constitution the land ownership, the right of a particular land, is vested in a particular tribal authority, then that tribal authority is the right body to exercise land registration and, if necessary, send a duplicate copy to the Central Government so that they are kept in the picture.

I do not see how on earth this Government would overlook such a very thorny and difficult question as this because it is none of their business to come and say that we are going to compile the register for all, to declare special areas for land registration when they have no special areas. The land belongs to the people of the soil and as such the power to register this land should be vested in those people.

Mr. Speaker, Sir, with these few remarks I would ask this Government to reconsider this Bill, withdraw it and introduce it when we achieve our independence and then we shall be speaking in our true voice. We shall appear in our true colours rather than pretend that we are speaking on behalf of our people on this thorny question, when we are being pushed from the back and are other people's disguises which I need not mention.

(Question of the first part of the amendment that the word "now" proposed to be left out, be left out, proposed)

The Speaker (Mr. Slade): Parliamentary effect of such an amendment is that the Bill in fact

..... (Inaudible)
I have proposed the question in two parts. The first question is that the word "now" be left out of the question. I would add that it is obviously a matter which cannot be separated from the subject of the main Motion and so hon. Members can speak on any part of the Bill as if they were speaking to the main question.

Mr. Nyanweya: Mr. Speaker, Sir, I refer to the attack on the original Bill made by the hon. and learned Member for Nandi. The Member for Nandi is learned in land and he realizes that the registration of any piece of land has no value unless the provisions of this Bill can be put into operation.

Another point, Mr. Speaker, is this. Either some hon. Members of the Opposition come here with an intention to turn away from the truth and delay the progress of this country unreasonably.

The Speaker (Mr. Slade): We have had enough suggestions from the Government side that the Opposition has had intentions. They take us no further.

Mr. Nyanweya: Mr. Speaker, we have heard comments about tribal land and we know that there was a time, and even now some people cherish the idea, of owning tribal land.

Mr. Speaker, tribal land as it is has no value to any member of the tribe unless the provision of the registration of land and the provision provided in this Bill are put into operation. The basis on which we are to work is to try to make land a marketable asset. The hon. Member for Narok does not realize that tribal land as such is not marketable, and as such a member of his tribe cannot make use of his land. That is to say that he cannot mortgage it and therefore get some money for its development. No one will be prepared to accept tribal land as mortgaged property.

[Mr. Nyanweya]

It is from this idea of tribal conservatism that the hon. Members of this House must depart, otherwise we will go back to where we were in 1950.

The amendment suggested by the hon. learned Member for Nandi has no substance. Mr. Speaker, we are anxious—and we hope that hon. Members opposite are as anxious as ourselves—to develop our economy and we should try to assist the farmers in the reserves. We have come to the stage when we should break away from unnecessary tribal conservatism and bring into effect the provisions of the registration of land, as well as the provisions provided for in this Bill.

I should speak now because Kisii—where I come from—is one of those areas where registration of land has already been started, and I am glad that my people—the Kisii people—are happy and are prepared to co-operate with the Government to see that their different pieces of land have been registered. We are going to encourage them to register their land, and after having done that we will see that as soon as this Bill becomes law we will make use of all the provisions available therein.

I would request the hon. Member for Narok, if he is to be of any assistance to the people who elected him, to face the truth now and follow suit, as other hon. Members.

With these few remarks, Mr. Speaker, I do not want to waste the time of the House unduly because I think the Bill is straightforward. It is most desirable and it is wanted by reasonable and hon. Members in this House and for that reason I beg to support the original Bill and oppose the unnecessary amendment.

Mr. Seroney: On a point of order, I want your ruling that if hon. Members can speak either to the amendment or to the original Motion, would I be able to reply to my part of the Motion?

The Speaker (Mr. Slade): No, I am afraid not, Mr. Seroney. On the occasions when I rule the amendment must be combined with the main question it means that no one can speak more than once, whether he has already spoken to the original Motion or not.

Mr. Gatungia: Mr. Speaker, Sir, I do not think that this is a constitutional issue, as raised by the Opposition. It is a separate issue altogether from the Constitution. The Constitution provides that the land will be managed by the regions in

as far as ownership of property is concerned. The question of titles is to be decided by the regions, but the question of registration is a Central Government affair. It is not, in fact, referred to in the Constitution and the Constitution does provide that any subject that is not mentioned specifically in the Constitution as being allocated to a region, automatically belongs to the Central Government. They are subsidiary powers only. If you read the Constitution properly you will see that this question of registration is one of the subsidiary powers of the Central Government, it is not mentioned within the powers of the regions. Therefore, I do not see any point in amending the Bill, put forward by the Parliamentary Secretary, because it is straightforward and it is quite clear that it is for the interests of the people that the land is to be registered. The things that are taking place all over the country with regard to the question of ownership can come to an end. If an hon. Member goes to his own area today, he will find a lot of confusion among the people, no one can say specifically that his land belongs to him, and he has no evidence that it does. There are many cases of this nature in this country and we all know it. The idea of this Bill is to try and get rid of this confusion so that we can always have documentary evidence to say that the land belongs to us when it is registered. When a Government like this one tries to bring a law that is going to be useful to the country, and in fact help the Members of the Opposition, it is most surprising that they stand up and oppose it. This Bill, in fact, is not going to interfere with the regional administration of land, it is not going to interfere at all. Of course, that is as long as the regions exist because we do not know what is going to happen with regard to the regions.

Mr. Speaker, Sir, I think I have spent enough time on this Bill and the answer would be to pass it as originally proposed by the Parliamentary Secretary.

Mr. Agar: Mr. Speaker, Sir, I only want to make a few remarks about this Bill. Particularly, I am completely amazed that the Opposition should stand up and say the Bill should be delayed, because only a few weeks ago we accused the Opposition of delaying tactics. Yet they still continue to delay us. This Bill is very clear and its purpose is to institute a uniform system of registering the land so that, in our economic development, each person who owns land knows exactly how he stands with regard to the ownership and registration of his land. This will help them. The old tribal system is very backward and it does not fit with the economic

[Mr. Agar]

pattern we want to follow in the future for the development of our country. This pattern should be complete.

I see that hon. Members want to make some suggestions which imply that this Government is a Government of certain tribes and is not going to treat the Masai and the Nandi tribes fairly. This is very wrong.

The Speaker (Mr. Slade): I do not think that suggestion was made. The Opposition Members were only contending that the Central Government was usurping a function of regional authorities. You must not misrepresent the arguments of other Members.

Mr. Agar: Mr. Speaker, I am glad that was not the case and I am only too glad to withdraw that.

I would like to point out that this Government has brought up this Bill with good intentions of unifying the system of registration throughout the country, so that the owners of the land may possess it as an economic asset.

Therefore, Mr. Speaker, I oppose the amendment and support the original Bill.

The Parliamentary Secretary for Local Government (Mr. Konchellah): Mr. Speaker, Sir, I would like to mention a few points about this Bill because I do not see how the registration of land can change the rights of the tribal land. The reason why I say so is that whether the land is communally owned or individually owned, it still remains registered. For example, with regard to tribal lands, the tribal lands have got owners even if the land is divided among the people in the district, it is still owned by the tribe even if there are individual subdivisions. My friend, the hon. Member for Narok East, mentioned a few points about if the land were registered it might be taken away. I would like to correct him on that, the land is not going to be taken away.

I would like to point out that even the Member for Kajiado has got a portion of land which is under registration at present. There are Masai who wanted individual ranches, and they need their land registered. There are applications, Mr. Speaker, to the African District Councils which request the right to be given these ranches in the Narok and Kajiado Districts. This has been approved by the local councils and there has been no force from the Central Government behind it. The local authorities have not been forced to register the land of a particular individual, but all the same it has been going on.

I think, Mr. Speaker, that the only way of raising the standard of people in every part of Kenya is to encourage land registration, because it enables a person—if he has an individual ranch—to get a loan because the property belongs to him.

So, Mr. Speaker, with these few remarks I beg to support the original Bill and to oppose the amendment.

Mr. Bomett: Mr. Speaker, Sir, this Bill is quite straight forward and I thought that Members of the Opposition would have supported it because it is intended to help individual farmers throughout Kenya irrespective of their tribe. If the view of the Member for Narok is the view of the Opposition as a whole, then I challenge the Member for Baringo South to declare that the people do not want this land registration Bill. In South Baringo all the people are going to the Government, daily, asking for surveyors to demarcate land and to give it to individual farmers.

Mr. Seroney: Will the Member give way?

Mr. Bomett: No.

The Speaker (Mr. Slade): I think I must explain more clearly to hon. Members what I have not explained in the past. An hon. Member has a perfect right to refuse to give way to an hon. Member on a point of explanation or information, but it is general practice to give way once or twice, because the interruption may help, it may bring out your own argument or it may correct something you are very wrong on. If you have too many interruptions that is the time it is more usual to say "I am not giving way any more". It rests with you, though.

Mr. Bomett: Already, Mr. Speaker, Sir, the land demarcation in South Baringo is so popular that farmers are urging that land consolidation is extended and although this Bill has not been passed the land registration has made it possible for some farmers to have loans from the Bank. I know of two farmers—

Mr. Seroney: Yesterday we told this House that we do not want land registration, we already had adequate laws about it, and hon. Members opposite might be accusing others of wanting land registration.

The Speaker (Mr. Slade): It would be a point of order if there were really serious misrepresentation of what hon. Members on my left have said, but I think that hon. Members are entitled to gather, at any rate, that the Opposition wish

[The Speaker]

to delay this particular system of registration, I would not say that there has been any blatant misrepresentation so far, and it may be you have not made yourself clear enough.

Mr. Bomett: Thank you, Mr. Speaker, I was saying that I know of certain farmers who have, through individual title ownership succeeded in getting loans of Sh. 10,000 from a private bank. Surely, Mr. Speaker, this is a great benefit.

Mr. Speaker, Sir, I think this land demarcation and registration is a very, very good thing because it will enable our farmers to push ahead and to become good farmers, and therefore we must get away from communal land. We know definitely that if the land is owned individually it is still within that particular district, and if you like to call it a tribal land you can call it so, but it is a fact that it belongs to a "Mr. X farmer" and it will be his property and that is why we want this Land Registration Bill to be passed. **Mr. Speaker, Sir,** I think it should be passed this afternoon if this is possible.

Mr. Olotlipiti: Mr. Speaker, Sir, I think the hon. Member for Narok West is absolutely right when he says I have got a right, because I have got a farm and I would regard that ranch as mine, a true ranch of mine, once it is registered. I think the only way we can improve the standard of living of our people is by settling them and registering the land so that we know that a portion of the land belongs to one particular man.

[The Speaker, (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

But, the idea Mr. Deputy Speaker, that worries us here, especially the Masai, and I would like my friends on the Government side to hear, is that the Masai people are nomadic tribe and it is high time that they settle down and first priority should be given to them and the question of moving the Kikuyu from Ngong and settling them at Eburu is what we oppose, because that is a Masai land unit.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Deputy Speaker, is the hon. Member right to refer to the provision of moving the Kikuyu to settlements, anywhere?

The Deputy Speaker (Mr. De Souza): No. I think that is quite out of the provisions as far as the Bill is concerned, I don't know that it is relevant. This Bill deals with the question of land registration only, and has nothing what so

ever, to do with the movement of Masai or Kikuyu.

Mr. Olotlipiti: Mr. Deputy Speaker, Sir, I think we are talking on settlement. When I said the Kikuyu were being moved from Ngong and settled at Eburu it still means settlement. I think I said that what worries us, and what I know you people on the Government side are interested in, in this Bill, is that you have got a lot of landless people and you want to settle them as soon as possible and perhaps the Masai will have nowhere to settle and to this I object.

The Deputy Speaker (Mr. De Souza): This has nothing to do with settlement, it's purely the question of land titles registration and has nothing to do with settlement. I think you are possibly mistaken, we will be discussing land settlement later on in the Committee of Supply, at the present moment we are discussing the Registered Land Bill.

Mr. Olotlipiti: Then, Mr. Deputy Speaker, because I am very interested I would like to speak on settlement and I will wait until this comes up and then I think I will "fire" the Government on this point.

Mr. Ngala-Abeki: Mr. Deputy Speaker, Sir, I think I should support the Land Registration Bill with all the power at my command, (because in my area I have a lot of cases which I would like to bring to the attention of this House. The people in my area have a lot of trouble because they did not accept land registration at the very beginning, but now they realize that there are so many land cases coming forward. They are asking to know whether, when it comes to the time of consolidating the land, a person would have the right to use his own land, as he knows it. In which case I think people in that area are kept in suspense, because most of the land is not yet consolidated and this is why we are worried and wonder whether when it comes to registration they will get the right titles for their land. The Government is very right and I would like to thank the Minister for having proposed the Land Registration Bill.

The only think I would like to tell the Opposition is that wherever there is a genuine attempt on the part of the Government to bring forward a reasonable Bill all that they should do is to say "yes" and then keep quiet, so we can go ahead. But instead Mr. Deputy Speaker, they will stand up and say that this is a tribal Government and that the Masai will be deprived of their land. They seem to want the Government to behave in the same narrow, tribalistic manner as they do, but this Government is out to serve the people, regardless of race or tribe.

Mr. Seroney: Can he substantiate it?

Mr. Ngala-Abok: I was trying to answer the allegations made previously because this is what is delaying the Land Registration Bill, the irrelevant issues which have been brought forward by the Opposition.

Mr. Seroney: Mr. Deputy Speaker, Sir, I ask for a ruling.

The Deputy Speaker (Mr. De Souza): I don't know whether this has been raised by the Opposition.

Are you suggesting that the Opposition said this or are you just making out another case?

Mr. Ngala-Abok: Mr. Deputy Speaker, I think I will withdraw that, but as far as I know, they have been referring to that and they thought that the Land Registration Bill which is being discussed is to be rushed through and all the Masai land would be registered in the name of other tribes I think Mr. Speaker ruled it out several times before the Deputy Speaker took the Chair but even though, as long as they are satisfied that the Land Registration Bill will be carried out with their consent they need not be worried about their land.

As long as this Bill is going to entitle a person to his own land so that he can get a loan from the Government which will help him move forward economically in his system of farming it will be the best thing for everybody. So Mr. Deputy Speaker, Sir, I wish to assure the Opposition that the Bill will be passed with or without the approval of the Opposition.

With these few remarks I wish to support the Bill.

Mr. Masinda: Mr. Deputy Speaker, Sir, on this scale, I think it is high time we had our land registered all over the country, because at present the settlement scheme is going on and in some areas it is very difficult to select those people who do not have any land, but if we had registered land we would easily know who do not own land and we could select them for settlement.

One thing which is very important is when the Government press for registration of land it forgets where to start this land registration. The areas which are prepared for the land registration like Kakamega District is already demarcated, and it is the place to start with. But there is no need to go to Matiland if they are not prepared to register their land.

The districts which should first be approached by Government are Kakamega, Bungoma and Busia. Land there should be registered first. If Government has brought up this Bill and is going to put it into practice, then it should embark on a programme to register land there. We have been urging Government ever since to tell us when they are going to start registering that land. It would be useless to force areas, say, like Turkana, to register the land of the people. You cannot tell who owns the land in such a district, because people there have not yet divided up their plots. With these remarks, Mr. Deputy Speaker, Sir, I think the Bill will be passed today and start with the Kakamega, Bungoma and Busia.

Mr. J. M. Kariki: Mr. Deputy Speaker, Sir, I beg to move that the question of the first part of the amendment be now put.

The Deputy Speaker (Mr. De Souza): I will call for the closure of the first part of the amendment after a few more hon. Members have spoken.

Mr. Ngala: Mr. Deputy Speaker, Sir, there are two points on which the Government, so far, has not satisfied the Opposition. Although I respect the explanation which was given by the Parliamentary Secretary, that does not mean that it was satisfactory.

I think the Government knows that land has been registered in different places, and, in fact, titles have been given. I stand to be corrected on this point. The Members of Government have been saying that if registration is not obtained then loans cannot be granted by the bank and so on. In the past, people who have owned land have had titles under the Ordinance introduced in 1939, I think. And they are able to borrow money and carry out development in their own place. I would like an explanation as to why Government, in spite of the provisions that they already have, need this Bill to go through at this time. The arguments given by the Members on the other side relating to development cannot stand, as the Minister himself knows that there are many people who are already owning titles under this original Ordinance. The idea of owning land freehold is not a new thing. The Government is talking as though unless they introduce this Bill people will not be able to own land freely. This is a misrepresentation of the truth. People have been owning land for many years, especially in the Coast Region, on a private basis, under the provision of the law already existing.

My second point is that the wording of this Bill in many places is already out of date, judging by the Constitutional progress now taking

[Mr. Ngala]

place. It talks of Crown land, for example, very soon we shall have no Crown land; the Constitutional provisions do not provide for it. It is talking of the Governor's powers, when very soon we shall not have the Governor's powers.

A lot of the wording here is completely out of date. It is for this reason that the Opposition feels very strongly that because we already have a law which can look after registration we should delay this Bill until we reach an appropriate stage for the proper introduction of this Bill. I want to make it quite clear that we are not advocating that there should not be development, all that we are saying is that this Bill should be delayed so that the Government can bring it forward at the right time.

The third point is that this Bill assumes certain powers of the Central Government and these must be sorted out with the regions. Certain officers in districts are specified in this Bill as being expected by the Central Government to carry out certain duties. I think that the Parliamentary Secretary knows very well that when it comes to such administration it is important that powers are sorted out before a Bill such as this is passed in the House. We feel that it would not hinder progress or development in any area if this Bill was delayed because a law already exists which allows development to be carried out. Nobody would suffer hardship if this Bill was delayed for five or six months.

I am sure that the Government will realize that we have given excellent reasons for asking for the delay on this Bill and we consider that the Government should bring it forward again in the future. I hope they will see their way to accepting the amendment.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Deputy Speaker, Sir, I am really amazed to hear the Leader of the Opposition tell the House that on this question of land registration there is no sense of emergency. I think one of the main handicaps to the development of agriculture in this country is the system of land tenure. We have all sorts of systems of land tenure in the country and one of the main aims of this Bill is to bring these to some kind of uniformity. We know that as long as land is being fragmented and as long as land is held under tribal customs, and so on, there will be very little opportunity to consolidate and develop along modern and scientific lines. I think it is very urgent that this Bill be made into law immediately so that the development of agriculture can be right away.

Mr. Deputy Speaker, Sir, I think that the Opposition has proved today that it is really irrelevant. They began by telling us that their main objection to this Bill is that registration of land is coming under the Central Government. They are in fact telling us that what they prefer is a tribal law which governs the registration of land. Surely if we grant this tomorrow they will ask for a tribal criminal code, next time that the Traffic Ordinance should be based on tribal law.

Mr. Deputy Speaker, Sir, if the Opposition have read the World Bank Report, they will agree with the Government that it is really urgent that this Bill is pushed through as soon as possible, so that as soon as we can, we can embark on a new system of working the land. This, Mr. Deputy Speaker, has been one of our major problems in Kenya and I would like the Opposition to take the view that this Government is doing its best to improve the working of land. The Bill itself states that the main aim of the Bill is to improve the utilization of the land.

Mr. Deputy Speaker, Sir, with this, I beg to support the Motion as originally put.

Mr. J. M. Kariki: Mr. Deputy Speaker, Sir, I beg to move that the question of the amendment be now put.

The Deputy Speaker (Mr. De Souza): I think I will let one more hon. Member speak before applying the closure to this part of the amendment.

Mr. amp Mol: I am afraid, Mr. Deputy Speaker, that the present Government, which should reflect an African opinion, is falling victim of the imperialists. We have so many problems. We have not suggested that there is no need for registration of land. What we are saying is that there are defects in this Bill which should be rectified. The National Member The Hon. E. K. Bomet, spoke of people wanting their land to be registered, and so and so forth. Having represented various people wanting their land to be registered, there are so many difficulties facing the ordinary African owning land: high fees, for instance, which make it very difficult for an ordinary farmer to register his land. If the fee is too high, Africans naturally will become suspicious of a Government move, and that is why I am saying, Mr. Deputy Speaker, that the present Government is falling victim of the imperialist activities of the past.

There should be a change of attitude, there is a need to understand the African mentality and to understand the African way of life. Therefore,

[Mr. arap Moi]

many Clauses in this Bill should be looked into. The hon. Parliamentary Secretary spoke, bearing around the bush without striking the real point which faces the ordinary man in the country.

(*Interruptions from hon. Members*)

When hon. Members keep on interrupting it means they do not have anything in their brains to contribute; they are still following the tracks of the previous colonial Government. Therefore, I am suggesting to them, Mr. Deputy Speaker, that they should bring in real things which are going to appeal to our people, and not merely talk and talk without letting Africans know that the Government is doing things which will help them go forward. I am going to say, Mr. Deputy Speaker, they have been talking about things, particularly the Member for Narok West, who spoke on this Bill forgot the needs of the Masai. Is the present Government suggesting that unless people register their land there will be no progress? It is obvious that there will be no progress in this present Government until they pull their socks up. Unless they know exactly what our people want, it is no use producing a massive document. Unless this document was produced under the colonial Government and they are being used as a rubber stamp to carry it out, they should understand exactly the complications and difficulties and rectify them, so that it can be useful to our people.

It was only last week when the hon. Member for Narok was complaining that the Masai were not given any chance to develop their land and he even suggested that during the settlement, the only people who are considered are the people who want to utilize arable land. When it comes to the question of registration, so that the Masai and other pastoral tribes would be helped to borrow money, in order to develop their land, the same Member is again opposing the Bill. Perhaps it is not quite clear as to how registration is done, and I would like to point out how it is done because I come from the area where registration and land consolidation has taken place. What usually happens is that the tribal area usually considers who owns a certain piece of land, and so there is no question of fear that there are Government servants registering land and depriving anybody of his land. I hope, therefore, that the people who are opposing this Bill will realize that if they are actually interested in their constituencies, in improving and developing their constituencies, it is high time they supported this idea. Again, the very people who are opposing this Bill have their land registered. This is Mr. Deputy Speaker, a way of making oneself go forward and leaving his brother behind.

Therefore, Mr. Deputy Speaker, we have not suggested on this side of the House that there is no need for land registration. We need it, but it should be something which will make our people feel that it is going to help them so that it can be implemented as soon as possible. However, the hon. Members opposite, as I have said, should be positive and not negative in their approach.

Mr. J. M. Kariki: Mr. Deputy Speaker, I beg to move that the question of the amendment be now put.

(*The question that the question of the amendment, that the word "now" be left out or left out, be put was put and negatived*)

(*Resumption of debate on the first part of the Amendment*)

Mr. J. M. Kariki: Mr. Deputy Speaker, Sir, it is, of course, very important for any person in this country who owns land to have a title to his own land, so that whatever he does—whether he is actually producing crops or looking after cattle or doing something else on his own farm—

he will feel proud of having his own registered land. It will also help him to obtain money from the bank without any fear. I think the hon. Members on the other side are fearing that the present Government might not take care of everybody's land in this country, but that is not the case at the moment. It is in actual fact not making it better. The person who owns the land can utilize his land properly and the Government or the Bank can give a loan to the person, bearing in mind that with the title under his name that is his own land and not collectively-owned land.

Without going back to the details, Mr. Deputy Speaker, I think it is very important to ask that the land be registered. This is going to help the owners of the land and also the bank in giving loans to these people.

Therefore, with these few remarks, Mr. Deputy Speaker, I think it is high time that we passed the Bill.

Mr. Kibuga: I support the provisions of this Bill which are quite clear, but I would like to add one point concerning registration.

It was only last week when the hon. Member for Narok was complaining that the Masai were not given any chance to develop their land and he even suggested that during the settlement, the only people who are considered are the people who want to utilize arable land. When it comes to the question of registration, so that the Masai and other pastoral tribes would be helped to borrow money, in order to develop their land, the same Member is again opposing the Bill. Perhaps it is not quite clear as to how registration is done, and I would like to point out how it is done because I come from the area where registration and land consolidation has taken place. What usually happens is that the tribal area usually considers who owns a certain piece of land, and so there is no question of fear that there are Government servants registering land and depriving anybody of his land. I hope, therefore, that the people who are opposing this Bill will realize that if they are actually interested in their constituencies, in improving and developing their constituencies, it is high time they supported this idea. Again, the very people who are opposing this Bill have their land registered. This is Mr. Deputy Speaker, a way of making oneself go forward and leaving his brother behind.

With these few remarks, Mr. Deputy Speaker, I beg to support the Bill.

Mr. G. M. Mutiso: I personally am not going to speak to oppose the registration of land, but

[Mr. G. M. Mutiso]

I would like to ask a few questions, Mr. Deputy Speaker, which I consider as very vital on this issue.

First of all I would like to know whether, when Government is considering passing this Bill, it is really appropriate at the moment, to tell this House how many Africans in Kenya are entitled to own land at the present time. I know for certain that since the beginning Africans have been crying on account of land hunger and it looks to me that when the land is registered it becomes a permanent property of an individual. Now, Sir, as we know that in the African Land Unit it is known that land is still under the care of the Crown because an African can be told by the Government, if it so wishes, to move his home where he is living at the moment, and go to another place. You find that in the African reserves there is not a single African who is really protected by the law to own his own piece of land.

There is another point. In view of the fact that there are so many Africans who lack land, and are bitterly crying for land, I think it would have been more appropriate for the Government first of all to settle the landless Africans and then have the land demarcated according to the number of people who really are in need of land, and after a person is assured of his own share of land then it will not be difficult to know what the balance will be. If we now say that every person should register his land, everybody will run to do so, despite the fact that there are so many of them who owned that land by false pretences—which in the future may be subject to question by the Africans—or perhaps by other people, who feel that in the past the land belonged to them.

(*The Deputy Speaker (Mr. De Souza) left the Chair*)

(*The Speaker (Mr. Stade) took the Chair*)

Therefore, Mr. Deputy Speaker, Sir, I feel that this Bill would do the African of this country a great service if it were first of all delayed; then have the question of land hunger settled; then have the land in the African Land Unit demarcated. Then the question of registration will not be difficult to deal with because, Mr. Speaker, I feel that at the moment we are creating for ourselves a situation whereby in the future, this Government will be subject to criticism or blame for passing this Bill when we know for certain that there are Africans who are in need of land and who in the future will be landless. Thank you.

Mr. Kamunde: The hon. Members on the opposite side are always asking for delay, delay and asking questions. It is not the right thing to delay as usual.

After this Bill is passed there will not be Africans who will not own land. It is merely an answer to this other question: when shall we have no people in this country who will not own a piece of land? If the Opposition will only cooperate and say that "one day—even if this Bill is delayed for ten years—we shall have every person owning a piece of land in this country".

The hon. Members on the opposite side know very well that there are reasons that are given to show that this Bill must be passed now. Firstly, in the African areas, in particular, people do not own land at all and they are not entitled to anything like bank loans, or loans by Government or any other concern. People do not have that much property and I think it is the fundamental importance of this Bill, that people should own land and they are entitled to do so.

The Bill provides enough material for the Members of the opposite side to think that if we delay this Bill for a further six months it means that by that time we shall have given every person a piece of land, as the Opposition wishes. May I ask which part of Kenya does the hon. Member refer to when he says we do not own land? In what part of Kenya do we not own land? Is this Kenya not our land?

Mr. Speaker, Sir, I do not want to go ahead demanding reasons for the delay. We have been given many reasons. However, I stress that we must have our land registered so that we can go ahead in progressive and not in delaying tactics.

Mr. Khasakhala: Mr. Speaker, Sir, we are not opposed to the registration of land at all, and this is not what the arguments here are about. The argument is that in the Kenya Laws, Cap. 283, there is a provision for the Minister to register land. What is wrong with this law? There is already a law provided for the registration of land all over Kenya whereby the Minister himself can decide where to go and register land or where such land should be registered. Already in the Central Province they have registered land. Already in certain other areas they have done so. Therefore, there is a law. We want to be satisfied, on the Opposition, with an argument from a Member of the Government, on what is wrong with the law which is already provided in Cap. 283. That is what we want. We are not objecting to the registration of land. You are trying to confuse us with the many arguments put forward. We know very well that land has been registered in

[Mr. Khazekhala]

Kenya: we know very well that it has been registered. But the argument we are establishing this afternoon is what is wrong with the existing law? It is known that no one on the Government side has satisfied the Opposition with any argument that this law is out of date. What we want to know is why should we start a new legislation, a new law on the registration of land when there is already a law providing the necessary power for the Minister to register land.

Secondly, we want to know how this land has to be registered. Already I know of certain areas in Kenya where people are keen on consolidating their land, in bringing their land together, but the Government has to provide surveyors. Now, if the Government has no surveyors how is it going to separate the land. Is it going to register fragmented land everywhere or is it going to consolidate this land first? If it has failed to provide the kinds of machinery to speed up registration of land, if this Government has failed in that, then why should we pass this law when we know that the Government has failed to satisfy us in many things.

Mr. Speaker, before we can pass this Bill, I would like a Minister or a Parliamentary Secretary to tell the Opposition very clearly why the existing law in Cap. 283 is out of date. We are going to stick to our arguments with all our strength to see that this Bill is not passed unless we are given a satisfactory reason to show why the old law no longer gives the Minister the power to register land in Kenya.

With these few remarks, Mr. Speaker, I beg to oppose.

Mr. De Souza: Mr. Speaker, Sir, I would like to congratulate the Government for bringing forward this Land Registration Bill, I think it is one of those Bills which has been very long overdue. I have heard speeches made by the other side of the House in which they condemned the Bill because they say there is no particular hurry, it should be delayed for another six months. Another hon. Member has said just now that there is already an Ordinance in the Laws of Kenya and there is no reason to promulgate another Ordinance.

Now, Sir, we have said on so many occasions that the Opposition should be reasonable in their criticism and responsible in their criticisms. Now, 20th March, 1963. Obviously it was passed and printed when the Members of the Opposition were still in the Government, and obviously the hon. Leader of the Opposition, who made a very

violent speech saying that there is no hurry for this Bill passed this Bill when he was in the Council of Ministers. Well, Sir, it does not speak very much for the earnestness of a Leader of the Opposition who supports the Bill when he is in the Government and as soon as he goes to the Opposition speaks very vehemently against it. He suddenly discovers when he is in the Opposition that everything that he did when he was in the Government was wrong just because he is now in the Opposition. Of course, it could mean, on the other hand, Mr. Speaker, that he wants to oppose it just because he thinks that now he is in the Opposition he must oppose everything that the Government does, right, wrong or indifferent. I have a feeling that that is in fact the reason for this big kelele, or this big noise that is now being made.

Now, Sir, the reasons, I think, have been stated by the hon. Parliamentary Secretary and which, I think, are very well known to the Members of the other side. That is, that there are at the moment five different systems of land titles in this country. There are the land titles in Mombasa and the question of land tenure and these land titles in the Crown land system. My hon. learned friend, Mr. Scronery, knows how difficult it is when every time you have to find all the deeds when you want to transfer a piece of Crown land, and there is also the restriction of the Registration Titles Ordinance, which, I think, is a good system in its own self. There is also the new system of which the hon. Member just now quoted Chapter 283, that of the Lands Registration (Special Areas) Ordinance. All these are different measures, and it is naturally quite correct for a Government to try and consolidate all these five methods of land titles, or five methods of land registration, and to bring throughout Kenya one uniform system of land titles. This is a very desirable object, and I do not think anybody in the Opposition, who understands that, would really seriously object. I cannot possibly see what is the reason for all this hot air being blown up and Members saying that they want delay of another six months.

Mr. Speaker, Sir, I have one point to make which I would ask the Minister to consider now or at some future time. The point is this: I appreciate and I accept that we need a very simple system of land titles because we are going to get a very large amount of land throughout the country—both urban and rural—that will be subject to the new land title system. I do ask the Minister to try to simplify as much as possible the methods of transferring land. I realize that a very great step forward will have taken place with the passing of this particular Bill, but I

[Mr. De Souza]

would like to see if it were possible to have printed forms. These forms could merely be filled in by vendors and they would show the vendor's name, the purchaser's name, the consideration and any special commissions that are attached to the transfer, this should then be signed by the vendor and the purchaser, the vendor's identity should then be certified by about five important persons and he would then be entitled to register this particular instrument. I do not know whether this is in fact contained in the Bill, it is possible that it is. I have been trying to find it myself but I have not been able to do so. If we could get simple printed forms available for the transfer of land, the leasing of land, for land charges—I know there is a printed form in the case of charges and mortgages—and in such cases I think it would greatly reduce the trouble and the labour that is necessary, and the inconvenience that is unnecessary.

The second point I want to make, Sir—and I know the legal profession will probably jump on me for this—is that we must try and make the transfer fees as low as possible. I know that as a poor starving landlord myself, I have some money from transfers. I think it is a bit on the high side, people who sell houses for about £2,000 find themselves paying Sh. 800 for stamp duties, and I think about Sh. 800 to the advocate. He might also have to pay about 2½ per cent commission to the estate agent. I think all that is a pretty high term of expense and if these forms could be simplified it is quite possible that the legal expenses involved could also be reduced, and I think that would help to make land a more marketable commodity and, I think, that is the main purpose of this Bill.

With these few words, Sir, I beg to oppose the amendment and to support the Bill.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I have been coming in and out of the House most of the afternoon and for the matter of nearly one and three-quarter hours, and each time I come in I find a different person up on his feet saying very much the same thing as the last person about this Bill. Therefore, Sir, I am wondering if, under section 70 of Standing Orders, whether you would agree if I claimed that the Mover be now called upon to reply? As there is an amendment, could I put that the question be now put?

The Speaker (Mr. Slade): I do not think it would be unfair to hon. Members if the question of closure be put at this stage.

(Question that the question of the amendment be now put, put and carried)

(Question of the amendment that the word proposed to be left out, be left out, put and negated)

The Speaker (Mr. Slade): That disposes of the amendment altogether and therefore the debate continues on the question originally proposed, which is that the Bill be now read a Second Time. (Resumption of debate on original Motion)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, with your permission, under Standing Order 70, may I please now move that the Mover be called upon to reply.

(Question put and carried)

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Speaker, Sir, as far as I can make out the only valid criticism which the Opposition has produced to this Bill is that this Government is in a hurry. Well, they are absolutely right. Mr. Speaker, this Government is in a hurry, it is in a terrific hurry and if we were not in a hurry we would not be getting independence on December 12th, we should not be getting the dynamic leadership which is lifting this country up out of the economic doldrums.

The Mover of the amendment: his opening speech was remarkable in the fact that he produced not one single reason why the amendment should come into being and the Bill be delayed. There was nothing of substance in what he said to suggest any reason for the delay in this Bill whatever. A series of Members of the Opposition who were Ministers in the Coalition Government have opposed the Motion. Every single one of those Ministers had a look at this Bill when it came to them in the Council of Ministers in the Coalition Government, which passed it for presentation to this House. I would ask, Mr. Speaker, why it is now, if it is not merely for the sake of opposition, that they come into this House and propose a measure which is in the direct interests of every single land owner in this country.

Mr. Speaker, Sir, many of the Members of the Opposition who asked me questions on this are no longer here. I must comment on the fact that there are Members of the Opposition who ask questions and make comments and then promptly leave the House and do not come back to hear the replies. Are they so interested in what they are saying that they want to hear the replies, or are they speaking just for the sake of opposing? The first speaker was the Member for Buret, the hon. Mr. Towett, who is not here to hear my reply, but nevertheless I will give it to him. He

[The Parliamentary Secretary for Lands and Settlement]

referred to clause 5 of the Bill and asked what were the areas which the Minister is going to designate as coming within the authority of this Bill. The answer to that is that when the Government is ready to move an area on to the new registration system—and I insist Mombasa as having priority in this regard—the Minister will so designate.

The second point he made was on clause 38 as to why there should be a reference to the Law Society. The answer is that this Government is always willing to talk over technical problems with the experts. There are technical problems relating to contracts which can best be settled in consultation with those people whose work it is to put them into effect. I do not believe that anybody in this House really wishes to criticize a Government which takes into its confidence and asks the advice of the experts on these matters.

The third point that the hon. Member made was to ask me what the meaning of the word "reparation" in clause 26. In legal language a unit of land is referred to as a parcel, in this particular clause there is a reference made to two owners of parcels of land who may wish to change their boundary to a small degree, and this in legal language is known as a reparation.

The hon. Member for Narok East made the suggestion that because the control of land is in the hands of the local people—which is a matter that this Government willingly concedes—it therefore follows that registration is also in the hands of the local people. I would thank the hon. Member for Kikuyu for his very good intervention here because he has quite obviously studied the Constitution considerably better than the Opposition. In the Constitution registration of land is a Central Government duty and the officers who carry out that registration of land, no matter where they are serving, will be Central Government officers.

An hon. Member: I know that.

The Parliamentary Secretary for Lands and Settlement (Mr. Marzian): Mr. Speaker, the intersector may know it but it is quite apparent that the hon. Member for Narok East did not, otherwise he would not have asked the questions he did from me. The hon. Member for Narok East ended up by saying that only after independence can we speak in our true colours. This Government, Mr. Speaker, is speaking in its true colours now, and will continue to do so now and right through independence.

I would thank a series of Government Members who supported the Bill, and I am sure they will forgive me if I do not refer to them individually. The main burden of what they said was that they gave support to this Bill, they gave support to the registration of title and they gave support to the simplification of that registration which is the hallmark of the Bill.

The hon. Member for Kajado, as far as I could make out, opposed the registration of land because he felt that it might lead to the settlement of Kikuyu in Masai lands. Mr. Speaker, this was an astonishing irrelevancy to the matter under discussion and I do not think it requires comment.

The hon. Mr. Masinde, the Member for Lurambi, said that he was in favour of registration but that such registration should not be forced on—let us say—the Masai. I would like to make it perfectly clear that there is no question of forcing registration on people who do not want it. Registration, as so many Members in the Government has pointed out, is something which is of such direct benefit to the people that we expect all the forward looking elements in the country to welcome it. By getting registration so many things follow which are of value to the landowner, not least the ability to mortgage his land and borrow money for development, that we do not expect many areas of the country to turn round and say they do not want our registration. Those that do, we have no intention of enforcing the system on them if they do not want it.

The Leader of the Opposition made an intervention in the debate which leads me to suspect—he will correct me if I am wrong—that he was not here when the Bill was introduced. Otherwise, I do not think he could have made the remarks that he did. It is perfectly true that registration has been taking place, it is perfectly true that titles have been given to land, but as I pointed out in my opening remarks, the main object of this Bill is to draw together a series of diverse ordinances, put them under one head and simplify the whole operation of title to land in order that the people may thereby be more easily enabled to obtain the title that they desire.

I suggested that the wording was out of date. Again, as I explained in my opening remarks, because of the new Constitution, there are series of amendments which will have to be moved at the Committee stage, and these series of amendments are set out in the Order Paper of today.

The Leader of the Opposition mentioned such words as Crown land. Had he read the Orders for today, he would find out there is particular

[The Parliamentary Secretary for Lands and Settlement] reference to such wording and it is for the very reason that it is out of date, that the amendments have to be made.

He finally suggested that officers were being asked to carry out certain powers and would it not be better for them if there was a delay, so that they would know what they were doing. Mr. Speaker, Sir, the officers of the Land Department do know what they are doing now, and there is no need for delay in this matter on that source.

The hon. Member for Baringo North made really what I can only term an extraordinary speech. He supported registration in the first instance, he then said there were defects in the Bill, but he did not enumerate one. He then said that this was an imperialistic gimmick, and all I can suggest is, that it is of no value to term as imperialistic any measure with which the Opposition does not agree. He said that the Parliamentary Secretary, myself, in introducing this, beat about the bush. I don't know quite what he meant, but I believe I am right in saying that he too was not present in the House when I introduced the Bill. He suggested that the Government was being negative and not in any way positive, and yet we have produced a Bill which runs to 165 clauses, to provide the simplifications that the people want and he says this is negative and not positive.

The hon. Member, Mr. Khasakhala, asked what was wrong with the present law, and he wanted to know what was wrong with the present law. I suspect again, that if he asked this question, he again was not present when I introduced the Bill, or wasn't listening to what was said, because I did attempt to go into some detail into the defects of the present legislation, and I did attempt to tell the House exactly why we needed this new legislation and in this regard I would particularly like to welcome the support of the Bill of the hon. Mr. De Souza, the Specially Elected Member, who is a lawyer of some reputation, or shall I say repute, and he is very knowledgeable on these matters. He has suggested by the simplification of the transfer forms and this is a matter that certainly I will take up with the Department.

Mr. Speaker, Sir, the amendment has been rejected by the Government side, I submit that the Opposition has made no case for the delay of this Bill, and I hope that the House will give it the support it deserves. I beg to move.

(The question was put and carried)

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

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL, 1963.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I beg to move that the Workmen's Compensation (Amendment) Bill be now read a Second Time.

Since the Workmen's Compensation Ordinance was last amended in 1955, a certain number of difficulties have been encountered in its operation and experience has shown that, as they are now worded, some of its provisions result in anomalies. The object of this Bill is to remove these difficulties and anomalies.

As the Bill is short, and each of its provisions is important in itself, I propose, Sir, to give a brief explanation of every clause.

Clause 2 seeks to amend section 5 of the Ordinance in two ways. The first of these concerns one of the conditions which must be fulfilled if an injured workman is to be entitled to compensation. At present, even if a workman suffers a permanent injury, he is entitled to compensation only if he is disabled from earning full wages for at least three consecutive days. Cases have occurred in which a workman has suffered an obvious permanent incapacity (for example, the loss of the tip of a finger) but has, nevertheless, returned to work within three days of the injury and so been debarred from claiming compensation. Paragraph (a) of clause 2 would remove this anomaly.

The second part of this clause supplies an omission in the Ordinance—the law now stands, a workman who is injured in rescuing another person is entitled to compensation only if that other person is a fellow-workman. This is obviously an unjust provision; it is likely to operate against the interest of the employer in the event of the other person taking a common law action against him, and against the interests of the workman if he is injured while rescuing that person. For example, a visitor to the employer's premises who is in danger, and is not assisted by a workman of the particular employer, might be seriously injured or killed, possibly resulting in a heavy claim for damages against the employer. Moreover the workman might be discouraged from any attempt to rescue the visitor if the workman realizes that he may be injured at his own risk, i.e. without being able to claim compensation from his employer.

The proposed new paragraph (iii) removes this limitation and would enable a workman to claim compensation if he was injured while rescuing

[The Minister for Labour and Social Services] any person, or attempting to avert damage to property in the course of an actual or supposed emergency at his employer's premises.

Clause 3, Sir, would amend section 9, by deleting paragraph (f) of the proviso to subsection (1). This limits periodical payments to Sh. 540 per month. There is no logical reason for this limit, since it is not related in any way to the "earnings" limit of Sh. 16,800 per annum, contained in the definition of "workman" in section 2 (which says, amongst other things, that "workman" does not include any person who is employed otherwise than by way of manual labour whose earnings are more than Sh. 16,800 a year). It is therefore proposed to remove this limit and to rely on the limitation on the total amount of periodical payments imposed by paragraph (ii) of the proviso. In general practice, Sir, this will mean that a workman earning more than Sh. 1,080 per month will qualify for compensation in respect of temporary incapacity on the same terms (normally half earnings) as other workmen.

Clause 4 deals with section 24 of the Ordinance, concerning the action open to a workman while he is injured through the fault of some person other than his employer. At present, when an injured party sues for recovery both against his employer and against a third party, the acceptance of workmen's compensation from his employer precludes recovery of damages at common law. In other words, the workman cannot take workmen's compensation and later sue for damages. This Law Reform Committee has represented that the section is—and I quote—"inequitable, if not grossly immoral". In amplifying its views, which have the support of the Council of the Law Society the Committee states: "If a poor man and a rich man both suffer the same serious injury in similar circumstances, thereby having a claim against their employer, because the injuries were sustained in the course of their employment, and also a claim against a third party at common law, the rich man is in the privileged position of being able to choose to take his damages at very necessities of life, might well be compelled to take the lesser compensation obtainable under the workmen's compensation legislation and thereby debar himself from the recovery to which he would otherwise have been entitled under the common law of the realm."

This clause, Sir, amends section 24, so as to enable a workman to obtain both compensation and damages in appropriate cases, but so that the compensation is taken into account in the assessment of damages.

Clause 5, amending section 25, is a logical step following the proposed amendment at clause 4. It provides that a workman who has recorded compensation from his employer, or has entered into an agreement as to the amount of compensation under the provisions of subsection (1) of section 16, is not thereby debarred from proceeding independently of the Ordinance against the employer for damages. The amendment ensures, however, that a workman cannot recover both damages and workmen's compensation—i.e. if damages are awarded after compensation has been paid, the amount will take into account the amount of compensation received. By the same token, a workman who has already received damages from his employer would not be able to institute proceedings for workmen's compensation.

Clause 6, Sir, amends subsection (1) of section 29. This section enables an authorized officer, usually a Labour Officer, to receive, in certain cases, compensation moneys from employers and to pay the moneys out to injured workmen or, in fatal cases, to their dependants. Such cases are restricted to those where the workman's earnings do not exceed a prescribed figure (at present this is Sh. 600 per month). These cases form the bulk of all claims and thereby do not need to be referred to court for settlement. Government is advised, however, that a Labour Officer or Regional Government Agent, in holding compensation moneys in accordance with the provisions of this section, becomes a trustee for the workman (or in fatal cases, for his dependant) and that the officer would be guilty of a technical conversion were he simply to repay the money to the employer (or the employer's insurers) in cases where the workman or dependant could not be traced. There is no moral justification for Government eventually taking into the Exchequer money which does not belong to it. The proposed amendment would enable the officer to refund the compensation money to the employer where the workman or dependant could not be traced. It will also give the officer discretionary powers to make the refund conditionally. One condition might well be a written undertaking by the employer (or his insurers) to repay the compensation to the officer if the workman or dependant are subsequently traced.

Clause 7 is a consequential amendment to section 32 rendered necessary by the increased scales of fees and charges introduced by the Workmen's Compensation (Medical Aid Fees and Charges) Regulations, 1962. These Regulations, in general, raised fees by 50 per cent and this is the amount

[The Minister for Labour and Social Services] of the increase proposed in an employer's maximum liability in any one case for medical expenses.

Clause 8, Sir, amends section 35 for the sake of clarity only and does not confer any additional benefit on a workman. The new subsection makes it clear that the section does not affect the rights of a workman under the Ordinance in respect of an occupational disease not shown in the Third Schedule which he contracts and which is a personal injury by accident within the meaning of the Ordinance. An example would be that of a workman who is required by the terms of his employment to travel to a sleeping sickness area, is there bitten by a tsetse fly and contracts the disease.

Clause 9 amends the Second Schedule to the Ordinance in so far as it abates percentages of incapacity for hand or arm injuries. For instance, the Schedule prescribes 10 per cent permanent incapacity of the complete loss of an index finger. However, if the finger was on the right hand and the workman was left-handed, the percentage of incapacity would be reduced to 9 per cent. Similarly, the loss of the left index finger to a right-handed workman would also be assessed at 9 per cent permanent incapacity. It is considered that this provision causes more administrative delays in the Ministries responsible for Labour and Health, in ascertaining whether the workman is right- or left-handed, than it is worth. It is proposed, therefore, to delete it.

These proposed amendments were formulated by the Intersectoral Standing Committee on Workmen's Compensation and subsequently agreed by the then East African Labour Commissioners' Conference (now the Labour Ministers' Conference). They have received the approval of the Labour Advisory Board. It is understood that similar amendments are currently under consideration by the Governments of Uganda and Tanganyika.

Mr. Speaker, Sir, I beg to move.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I would like to support the Minister in introducing the amendment. But I am doing so because the amendments as given by the Minister, are aimed at removing certain difficulties which I myself did experience when I was Minister for Labour some time ago.

I would like to get confirmation, Sir, when it comes to fatal accidents to workers as to how the compensation is reached. I have come across some cases where two workers of different races, one received a small sum such as Sh. 600 only for loss of life, whereas another worker of a different race left his family a much greater sum.

The Speaker (Mr. Slade): Mr. Ngala: Do these remarks arise out of the amendments? We are strictly limited to the amendments.

Mr. Ngala: Mr. Speaker, Sir, I would like to know about the left-handed business, will it not be necessary now to find out whether a person is right- or left-handed before he gets compensation?

This seems to be related to the loss of a finger or the loss or an arm or any part used in his job. What about compensation on loss of blood? Where no limb is lost by the worker. Is this aspect considered as loss? And if considered, should it not be in this amendment because I understand it is not in the original law.

The Speaker (Mr. Slade): I am afraid that again is outside the scope of this particular debate. I know it is very tempting for hon. Members, particularly with an amending Bill, to say it does not go far enough and it ought to contain all kinds of other amendments to the principal Ordinance, but you simply cannot do so. You can only deal with the amendments which the Government has, in fact, put forward.

Mr. Ngala: Mr. Speaker, I would like your ruling on this. If we feel it does not go far enough when do we give suggestions to the Minister? I thought this was an opportunity to give suggestions to the Minister.

The Speaker (Mr. Slade): No, because it does mean you can range over the whole of the principal Ordinance when you do that. There is always an opportunity some other time by Motion, of course, to suggest further amendments, but on this particular amending Bill it is only the actual amendments put forward by the Bill which can be discussed.

Mr. Ngala: That being so, Mr. Speaker, I would like to support the amendments and I hope that I will have an opportunity in future to add more ideas to the amendments.

Mr. Negi: On a point of order, Mr. Speaker, I would like to know this. This is an amendment which has been put up by the Minister for Labour and Social Services and if, for example, we have ideas which we feel may further amend the bill,

[Mr. Ngeli]

Minister's amendment, do you not think, Mr. Speaker, it will help him to get a better amendment?

The Speaker (Mr. Slade): Yes, as long as it is really an amendment of what he has proposed, and not something new.

Mr. Ngeli: Mr. Speaker, Sir, on a point of order again, let us say we are to speak on the degree of compensation. If we have some ideas on the degree of compensation to the workman, do you not think, Mr. Speaker, it would be in order—I am seeking your ruling—because if we gave extra points it might add to that amendment?

The Speaker (Mr. Slade): No, because this Bill does not raise the principle of how compensation is calculated at all, so you cannot raise it. If it had raised it, you could discuss alternative methods of calculation.

Mr. Gatuguta: Mr. Speaker, Sir, I would like to support this Bill because I think it does provide workers with the sort of thing they want. However, I would like to say one or two things in connexion with some of these amendments.

I will start with clause 7. The clause provides that the compensation for a worker would go up from Sh. 4,000 to Sh. 6,000. Mr. Speaker, Sir, I think this is rather dangerous from the point of view of the worker because, as you know, somebody may be sick for a very long time and he may be in a very expensive hospital. Some people these days fall sick and they go to Europe for treatment and the fees may be too much. So you would find that the liability of the employer here might not be reasonable when it is only Sh. 6,000. I was wondering whether the Minister concerned could think in terms of a percentage. Instead of putting a figure of Sh. 6,000 here, could he put a percentage, such as 50 per cent of the cost of the employee's treatment, because if it is Sh. 20,000 or Sh. 100,000, then he can get something. That is one point I wish to raise.

The other one is on clause 6 (c), amendment of section 29. This one, Mr. Speaker, Sir, provides that an officer of the Government could return the compensation to the employer if the relatives of the employee or the employee himself are not available. I will read the section itself: "An officer to whom compensation has been paid by an employer under paragraph A of this subsection may, in the case where neither the workman nor any dependent can be traced, pay the money to the employer on such conditions as the officer may think fit to impose." Here again, a situation may arise where the compensation is returned to the employer and then, later on, the workman is

found or some of his relatives are found, and we do not know—it is not specifically stated—the conditions on which the compensation is to be returned to the employer. Suppose the officer of the Government returns the compensation to the employer and says, "The workman cannot be found, the relatives cannot be found, keep the money", and then tomorrow the workman will be found or some of his relatives are found, under what clause will that money be returned to the workman? I think, that ought to be made a little clearer, Mr. Speaker Sir.

The other amendment I wish to speak about is clause 5 (2) where it is stated, "A judgment against the employer in such proceedings shall be above proceedings, and this Ordinance, in respect of the same injury, the suit of any person by whom or on whose behalf the proceedings of the employer are taken." Here the point is that if a judgement is made against an employer to pay compensation to a workman today for a certain injury which looks, on the face of it, a minor injury and then, after one or two years, the injury develops into a very serious one, the workman should have the right to come back and claim greater compensation. Such things do happen. On the face of it, an injury can look small but later on may develop into something bigger. When the compensation is being paid initially it may be small because the injury does not look serious, but it may develop later. Therefore, Mr. Speaker, I think this also ought to be considered in view of the fact that these things do happen.

I do not wish to say any more and I beg to support the Bill.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I really do not want to waste the time of this House, but I wish to reply to two points which the hon. Member, the Leader of the Opposition, has just put forward. He has actually said that he does not understand what the Government is proposing to do when dealing with left-handed or right-handed men. I want to explain clearly the difficulties which my Ministry has encountered. When a person has sustained an injury to his right hand, the payment is different from the payment which another person would get if he sustained an injury to his left hand. This has proved very complicated because a man will say that he is right-handed and it is very difficult for whoever is in charge to prove whether this man is left- or right-handed. In order to avoid that, the Government has brought forward the amendment whereby the compensation for whatever hand it is that sustains the injury is the same. I think

[The Minister for Labour and Social Services] that is what the Leader of the Opposition was seeking to find out and that is what the Government has actually done.

For the information of the Leader of the Opposition, the loss of blood is covered in clause 8, subsection 1 (b).

Somebody said these amendments were discriminatory, but they are not. It does not matter who is working or who is injured—a European, an Indian or a Chinaman—the payment will be the same.

The point raised by the hon. Member, Mr. Gatuguta, is a technical point. If he does not mind, I will give him the answer in writing as this is a technical point which I have to go into in my Ministry, if you will allow me to do so, Mr. Speaker.

The Speaker (Mr. Slade): It is normally expected of Ministers that they will be able to answer all questions before their Motions are put. That is normally expected; but Ministers cannot always live up to expectations, and on this occasion, if Mr. Mwendwa has not the answer now, he is trying to do the next best thing.

The Minister for Labour and Social Services (Mr. Mwendwa): As I have said, Mr. Speaker, I can give him the answer, but I do not want to do so and then find later on there are points which I ought perhaps to have added. All I am saying is that I shall give him a full answer which would be correct having consulted with my Ministry. I think the hon. Mr. Gatuguta will agree with me.

Mr. Speaker, I am trying to tell the Opposition that all these amendments were prepared by the Government for the benefit of the workmen because when we studied this compensation amendment Bill we found there were many anomalies. Through experience, my Ministry has encountered a lot of difficulties and that is why we have brought the amendments. I am very pleased that the House has agreed to them and accepted them.

With these few words, Mr. Speaker, I beg to move.

(The question was put and carried.)

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

THE BORSTAL INSTITUTIONS BILL

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, I beg to move

that the Borstal Bill, 1963, be now read a Second Time.

As the introduction of Borstal training is a new innovation in the Kenya penal system I feel it pertinent and necessary that I should explain briefly to the House its main features.

The main objects of the Bill are:—

- (1) to keep young delinquents under the apparent age of under 18, who have committed an offence, out of prison;
- (2) to ensure the protection of society by providing that such offenders can be given the amount and type of training best suited to their needs, and from which they are likely to derive the most benefit.

These objects conform with the fundamental principle which has long been accepted, that the penal treatment of young offenders should be remedial and should be carried out in—

Mr. Murgor: On a point of order, Mr. Speaker, I am seeking your advice. In the previous legislature you ruled that whenever a Minister speaks or when he is answering, he should be allowed to read those parts of his speech which contain figures, but when there are no figures he should not read the speech.

The Speaker (Mr. Slade): There has been that point of order once or twice since this House was formed. I confirm what Mr. Murgor says. That is the true interpretation of our Standing Orders, but I have said also that just at present with so many Ministers and Parliamentary Secretaries so newly in office, we must make allowances for their reading their speeches. Although it is very dull hearing them read their speeches, we must excuse them for doing so. But I would still ask them to be spontaneous whenever they can.

The Parliamentary Secretary for Home Affairs (Mr. Moss): —that the penal treatment of young offenders should be remedial and should be carried out in separate institutions and not in prison.

This has been laid down internationally in the Standard Minimum Rules of the United Nations.

Mr. Murgor: On a point of order, Mr. Speaker, would the Parliamentary Secretary start reading the speech from the beginning because we have lost the trend of what he was saying.

The Parliamentary Secretary for Natural Resources (Mr. Argwings-Kodhek): Mr. Speaker, Sir, is the hon. Member for Marakwet entitled to ask the House to go back to where they originally started? I think the Parliamentary Secretary for Home Affairs should be allowed to continue from where he left off.

The Speaker (Mr. Slade): I think these are all frivolous questions, and I think we should get on with the speech.

The Parliamentary Secretary for Home Affairs (Mr. Moss): The Standard Minimum Rules of the United Nations say that "as a rule young offenders should not be sentenced to imprisonment".

In East Africa, Uganda already have Boral legislation and Borstals.

The introduction of this legislation in Kenya today is in harmony with the general advance based on modern penological lines which a self-governing Kenya advocates and supports as an enlightened and necessary measure to prevent delinquent youths drifting into a life of crime as a result of being sent to prison.

Before going into the Bill in a little more detail, perhaps I should mention that the treatment and training of youthful offenders provided in Boral institutions is a well-tried specialist form of constructive and reformatory training which has proved successful in turning delinquent youths into law-abiding citizens.

I must also mention at this stage that if this Bill becomes law it is not going to cost any extra money this year. Boys who will be sent to Boral would otherwise have been sent to prison, and a suitable existing open prison will be closed and reopened as a Boral with accommodation for 120 inmates. The staff required for the Boral will be provided within the existing authorized establishment of prison staff. It is our intention to open the first Boral at Shikusa near Thika, Kakamega. We have chosen Shikusa after much thought because the existing buildings and facilities of this prison make it entirely suitable to be turned over to a Boral institution at no cost as it already conforms with the requisites of a Boral institution, laid down under Part II of the Bill.

To proceed to the Bill itself, perhaps I should first explain why the Bill is entitled the "Boral Bill". The explanation is that the first institution of this type was established in a small town called Boral, and when, as a result of the success of the system of training, additional institutions were introduced in various parts of the world, they were named after the original institution, Boral. The training scheme which is now generally accepted as the best method of reforming young men is known universally as the "Boral system".

The Boral system seeks to strengthen character and is based on progressive trust demanding increasing personal decision, responsibility and

self-control. The elements of training in a Boral are a full day of useful work in a workshop or on the land, regular physical training, educational classes in reading, writing, arithmetic, and an active evening with handicraft classes or gymnastics, with a period for organized recreation.

The institution is run on the lines of a school but with a strict discipline and the necessary security required. The youths are split into two separate houses, each with its own housemaster and staff, whose duty it is to get to know each boy as an individual, guide him through his training and report progress so that his fitness for release can be assessed by the head of the institution, who is designated as "Superintendent".

Sir, I would like to draw attention to the age group of boys who are eligible to be sent to a Boral, and in doing so to stress that it has been confined to delinquents of fifteen years of age and under eighteen years of age on the advice of experts on juvenile delinquency. In considering this age group it must be remembered that a youthful offender is sent to a Boral institution for a period of three years and that although a Boral inmate may prove himself suitable for release on licence, as provided for under Part VI of the Bill, after being detained in a Boral for twelve months, the average boy will probably be detained in a Boral for a period of eighteen to twenty-four months. Whilst those who require it may be detained the full three years. It will be readily apparent—

Mr. Somo: I am seeking your ruling, Mr. Speaker, is the Parliamentary Secretary allowed to read his speech? Is he in order to read his speech without speaking spontaneously?

The Speaker (Mr. Slade): I am allowing, as I say, at this stage a very short period for Ministers and Parliamentary Secretaries who have to open debates, to read their speeches. I have pointed out that it is very dull and they should make a bigger effort to use some spontaneous words.

Mr. Tipla: On a point of order, with regard to the ruling that you have just given, we accept that some of the Ministers are new, and so are the Parliamentary Secretaries, but on this side of the House we have new Members as well. Therefore, does this ruling apply to both sides of the House?

The Speaker (Mr. Slade): When I am giving a ruling hon. Members should keep quiet. It does not apply to hon. Members of the Opposition because they do not have to produce a complete speech on a complex Government affair. It is a different matter altogether.

The Parliamentary Secretary for Home Affairs (Mr. Moss): It will be readily apparent therefore that although the age of admission to a Boral institution is confined to a maximum of eighteen years of age, a fair proportion of boys will still be under training in the institution when they have reached the ages of nineteen and twenty.

While on the subject of the age of inmates, if you refer to Part V you will see that provision has been made to deal with any mistakes that might occur in a person being committed to Boral who is over age or under age. If the Board of Visitors or the Superintendent think that any inmate sent to Boral does not come within the required age group they can bring him before a Court to have the sentence revised, and until this is done the inmate must be segregated from other inmates. No person, once he has reached the age of twenty-one may remain in any Boral. When he attains that age the Commissioner must cause him to be brought before a Court of sentence and must segregate him until such time as this is done. The interests of inmates are guarded in such cases as the Court is directed to take into consideration such time as the inmate has already spent in Boral in assessing the new sentence.

I would now like to invite attention to Part VI of the Bill as it relates to boys being released on licence to live and work outside the Boral institution before the expiration of the statutory three years' period of Boral training.

The Superintendent, and the Boral After-care Committee keep each Boral inmate's case under review throughout the period of training, and release the inmate on licence under supervision of a probation officer, after-care and welfare officer or other suitable, trustworthy and respectable person so soon as they are satisfied that the object of the training has been achieved. This is qualified to the extent that the minimum period of training in the Boral will be not less than twelve months. For those with the best records eighteen to twenty-four months' training is usually sufficient, but others need longer.

The licence given to a youthful offender must not be confused with the old prison licences who are on licence under police supervision and required to report to them. The Boral inmate is not under police supervision but under supervision of a specially selected person such as a Probation Officer or social worker whose one and only object is to assist, advise and guide the youth to take his place in society as a decent and law abiding citizen. The conditions of licence are framed to ensure the successful rehabilitation of

the youth and require the inmate to remain under the supervision and care of a named person. The licence is valid from the date the inmate leaves the Boral until the date his three years' period of Boral training ordered by the Court expires. If after he has been released an inmate fails to comply with the condition on which he has been released, or has misbehaved, this is reported to the Commissioner, who may revoke the inmate's licence and recall him to undergo further training in the Boral institution.

The Minister for Labour and Social Services (Mr. Mwendwa) seconded.

(Question proposed)

MOTION ON THE ADJOURNMENT

ARRESTS OF WOMEN IN NAIROBI

The Speaker (Mr. Slade): It is now time for the interruption of business. I will call on a Minister to move that this House do now adjourn.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that this House do now adjourn.

Mr. De Souza seconded.

(Question proposed)

Mr. Shikuku: Mr. Speaker, I have here an item which is of the greatest importance. Some hon. Members were already asking me this morning what this was, when they heard that a Motion on the Adjournment had been announced by the Speaker. They also asked what happened over the weekend and on Monday of this week, when innocent women were beaten up as a result of a big meeting at a place called Bahali—where some hon. Ministers had the privilege of airing their views, which were the views of the Government—and the Ministers concerned failed to give correct orders as to who was going to carry out the extinction of prostitution in the city. As a result many of these women were beaten up, robbed and some of them were even raped.

An hon. Member: Substantiate.

Mr. Shikuku: I am ready to substantiate that.

The Speaker (Mr. Slade): If hon. Members ask someone to substantiate, they must then listen to the substantiation.

The Minister for Commerce and Industry (Dr. Kioko): On a point of order, Would I be in order to ask the hon. Mover of the Motion to substantiate the allegation? The Ministers did not direct the crowd, as to who would undertake responsibility, because I was present at that meeting, and I told the crowd—

The Speaker (Mr. Slade): You cannot make a speech, Dr. Kiano, when you bring up a point of order. Order, order. Mr. Shikuku was in the process of substantiating an allegation, he should therefore, be allowed to continue.

Mr. Shikuku: Thank you, Mr. Speaker. It appears that the hon. Members on the Government side are just wasting my time by raising points of order. I am ready to substantiate whatever I say in the House.

The Speaker (Mr. Slade): Well, get on with it then.

Mr. Shikuku: It was in Jeevanjee Street on Monday when a gang of men—I do not want to say Kanutes because I did not see their faces—got hold of a girl by the name of Dina Waitheo. This girl was then hustled into a car, and being a bit tall she hit her head on the door and her forehead was then bruised. I think, Mr. Speaker, that this is a very serious thing. We should not take this emotionally in this House, but should look at it with very serious concern. I do not think that we can get anywhere by being emotional. I would like to make it very clear in this House that I am not defending prostitution, I am against it. But, Mr. Speaker, the prostitutes are also human beings and any steps taken against them should be taken lawfully and not unlawfully. I must apologize for the fact that I am the Mover of this Motion in this House, but it is inevitable in view of the fact that we do not have a single woman in this House to move this Motion expressing the feelings of the women. I hear the shouts, but it was only the other day in this House that I said that this House was incomplete because there were no ladies in it. Some hon. Member went to the extent of telling this House, or had the audacity to tell the House, that the women in Kenya were incompetent of being M.P.'s.

The Speaker (Mr. Slade): Mr. Shikuku, this is not relevant.

Mr. Shikuku: I have got to raise a new point of view despite the fact that some hon. Members will say that I am a man who is defending prostitution, which I am not. Mr. Speaker, I feel that the women have been mistreated, on this question.

An hon. Member: On a point of order. Is it in order for the Mover to put a lot of propaganda into a Motion, where we just want the facts.

The Speaker (Mr. Slade): The speaker is quite in order so far.

Mr. Shikuku: Thank you for your ruling. I know this is a means of wasting my time. I wonder when the hon. Member on the Government side will even know what a point of order is. Mr. Speaker, we should look into the cause of prostitution. We are not going to blame the women or arrest the women without taking into account the underlying reasons why they are hon. Members on the opposite side when I say women have to earn a living. As you know there are few jobs available for women which enable them to earn their living. Catering jobs which could and should be done by women are done by men, who are employed as cooks and servants even in this very House. But these jobs should be filled by women.

The Speaker (Mr. Slade): Mr. Shikuku, you are getting away from the subject, which is a very narrow one. The subject is assault and unlawful arrest.

Mr. Shikuku: I am trying to elaborate. Mr. Speaker, though it appears that I am getting off the subject; I am trying to give the reasons why these women are behaving in this way, which leads to them being beaten up and being unlawfully arrested by some persons in the street. I am told and it is in these papers that a committee is being set up to look into this affair. But when this was raised at the meeting it appears that the hon. Member who interrupted did not guide the people as to how they should handle the situation. As a result, the thugs took the law into their own hands. Mr. Speaker, if I may quote from the report in the newspapers and quote what really happened. This is what the hon. Minister said, "That to discourage the practice of solicitation and of allowing the African women to misbehave in this way we shall have to close down the bars." This is going to be difficult, the women are behaving like this because they do not have employment. It was also reported that "for a week we are going to keep a watch. We know the notorious places and if necessary the whole city will be closed to military personnel". This is a good thing, but here again why do the military chaps find the women at the bar? When they find them—

The Speaker (Mr. Slade): You are away from the subject of assault and lawful arrest. You cannot cover the whole field of prostitution.

Mr. Shikuku: Thank you, Mr. Speaker, Sir, but here it is bad that these women are being molested. This is where I am getting to, and if

(The Debate continues)

[Mr. Shikuku]

this is the sort of thing we are going to have to put up with, I mean women being hurled out of bars and being beaten up because they happen to be prostitutes, I think it is very bad. When the Government provides employment, they should provide employment for these prostitutes. I feel very strongly, Mr. Speaker, that it is very unfair for these people to be harassed and beaten up when no employment is found for them. I would be a great supporter of anybody who harasses women after providing employment for them, but in this case, Mr. Speaker, no jobs have been provided for these women. At the same time they are part and parcel of our society, even though they may not have taken part in any aspect which will help to build up this Nation. I feel, Mr. Speaker, Sir, that this question should be dealt with very seriously, and we should not encourage prostitution. In this case, encouragement of prostitution which is going, is partly caused by some of the hon. Members who are now sitting in this House—

An hon. Member: On a point of order, Mr. Speaker. Could the hon. Speaker substantiate this very, very serious allegation that he has made? We said that this was caused by some of the hon. Members in this House. Is he suggesting that we are "Profumos"?

Mr. Shikuku: I am ready to substantiate that, Sir. Some of the hon. Members have helped in this question of prostitution. They have helped or taken part in the promotion of prostitution.

The Speaker (Mr. Slade): You must substantiate.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir. I would like to substantiate this, and I hope the hon. Members will be quiet.

Mr. Towett: Mr. Speaker, is it in order to demand a substantiation from a Member, when he says "some" without particularizing the persons.

The Speaker (Mr. Slade): Oh, yes, Order, order. General allegations sometimes are too general to be capable of substantiation, but an allegation that certain hon. Members of this House are guilty of such disgraceful conduct must be substantiated.

Mr. Shikuku: Mr. Speaker, Sir. I feel very strongly about the subject and I will take the responsibility of substantiating this now, and not tomorrow.

Mr. Speaker, Sir, here we have hon. Members, and even on the first day of the first sweep we had a Parliamentary Secretary's girl friend who was snatched from him.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker. Perhaps the hon. Member does not understand what we said, but we asked him to substantiate. It is not the substantiation that an hon. Member was found in a place and his girl friend was snatched away from him; it is that the hon. Member suggests that some Members in this House promote prostitution, and support prostitution, and that is what he is being asked to substantiate.

The Speaker (Mr. Slade): If that is not what you meant, you must withdraw. Order, order, this matter is much too serious for interruption. Hon. Members must be silent.

Mr. Shikuku: I feel, Mr. Speaker, Sir, what I meant—

Mr. Maitori-Itumbo: Interjection.

The Speaker (Mr. Slade): Mr. Maitori, you interrupted then. You will leave the Chamber.

(The hon. Member withdrew)

The Speaker (Mr. Slade): I will ask all hon. Members to keep silent. It is a very, very grave matter.

Mr. Shikuku: Thank you very much, Mr. Speaker. When we are asked to substantiate you find that there are more interruptions while you are in the process. In this case, Mr. Speaker, when I said that this was being helped by hon. Members, or that hon. Members were helping in the promotion of prostitution, or that they are all connected with it—here, Mr. Speaker, if it is not going to be embarrassing to any hon. Member in this House, I will name the girls, and even go to the extent of pointing out why they are practicing prostitution. These women practice prostitution as the only means of earning their living and of feeding their illegitimate children.

The Parliamentary Secretary for Natural Resources (Mr. Aringwa-Kudhek): The Secretary of Kadu is making a very serious allegation against some of us here. He admitted himself that he would substantiate, and if he cannot substantiate he should withdraw. If he does not know the meaning of substantiation the books are all there and we can show him. However, if he does not substantiate he should withdraw immediately, because time is up.

The Speaker (Mr. Slade): You understand what is expected of you, Mr. Shikuku.

Mr. Shikuku: I do, Mr. Speaker, Sir. I have asked my colleagues on this side, and they say that it will be embarrassing, Mr. Speaker, my ask

[Mr. Shikuku]

if it is in order to mention names of some hon. Members in this House? Because it is rather embarrassing to mention the names of the women here, Mr. Speaker, as this will embarrass the House, I am being asked by my hon. Members on this side to withdraw.

The Speaker (Mr. Slade): Mr. Shikuku, when you make allegations you must be prepared, if you are asked, to substantiate. If it is embarrassing to substantiate, then it is embarrassing to make the allegation. You must either withdraw or substantiate now.

Mr. Shikuku: Thank you, Mr. Speaker, Sir, since it is very embarrassing I think I will withdraw it.

Mr. Speaker, I know that the Government is setting up a committee to look into this question. I feel this committee—when I read about it in the papers—should have a woman on it—

The Speaker (Mr. Slade): We have less than a quarter of an hour left, and you have hardly touched on the question of the actual assault and unlawful arrest. You have touched on many subjects which are not relevant to that particular narrow issue. You must hold to that, for the time that remains.

Mr. Shikuku: Thank you, Mr. Speaker, Sir, if it is a question of getting those who are beaten up, well I have got a lot of names here, and I have already had a meeting with some women today. These women came to my office, the ones that were beaten up, I mean, and they told me that the little money they had hidden in their breasts and so forth was stolen. I feel, Mr. Speaker, Sir, that these prostitutes should be given jobs. We must look into the problem as human beings and think and see how we can provide them with jobs, so that they do not continue the way they are doing. I do not think we are going to get away with it.

An hon. Member: I would like the names of these women. I know he has withdrawn his earlier allegation, but I would like the names of the women so that the police can go into the whole matter. This is not a very—

The Speaker (Mr. Slade): Order, order. I am not quite sure whether you are asking the Member to substantiate or not. I think he has substantiated enough his allegation that women, whether prostitutes or otherwise, were beaten up and arrested. If it is only information required, that should be part of the answer from the Government when the time comes.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir. We are running out of time. Here these women that have been beaten up, they are just told to go home. This will not help anything at all. I feel these prostitutes, as such—are people in our society to a certain extent undesirable, and we should actually see how we are going to put them through a process of training whereby we can turn them into good citizens.

The Speaker (Mr. Slade): Mr. Shikuku, you are again off the subject. You have used twenty minutes, and I suggest you sit down and give the Government a chance to reply.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, in the last three weeks it has been necessary several times to point out to the Opposition that opposition for the sake of opposition was not going to help this country and bringing Motions here merely for the sake of appearing to differ is not going to help either the status or the sense of responsibility which this country expects of the Members of this House. In this House this evening we have seen the most disgusting demonstration of that sense of irresponsibility, we have seen a demonstration of opposition for the sake of opposition. We were told this was an urgent matter of public interest and I ask, of the things that have been said which are of public interest in this House or outside? The answer is "None". The Member got up and all we had was him going round and round like a school play with nothing tangible to say and the sense of urgency has completely escaped us. If, Mr. Speaker, the question that was to be put before this House was that some women were manhandled or beaten up, this was a simple issue and it should have been put in these terms. You, yourself, Mr. Speaker, Sir, have had to intervene several times to make the Member realize that this is not a House for plays and jokes.

The Speaker (Mr. Slade): I was not saying that. I was only stopping irrelevant discussion.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I hope you will forgive the Government if we speak with some feeling because serious statements have been made here and it is not enough for the Member to plead embarrassment and to withdraw. This is important. I am not joking on these matters, and I hope, Sir, that the Opposition will want us to respect them and for the country to respect them in the future but if they take—

Mr. Pandya: Sir, is it in order for the Minister to refer to the whole of the Opposition when I

[Mr. Pandya]

understand that the hon. Member himself approached you and wanted to raise this Motion on the Adjournment?

The Speaker (Mr. Slade): The Opposition has no general responsibility for this particular Motion. Mr. Mboya, I would point out that you are not driving at the point either.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, it is in order to point out that the Mover of the Motion did not himself get to the point. If anybody has confused the audience it is the Mover himself. I am quite clear on what the Government's answer is. The Mover made a statement that as a result of a meeting certain statements were made in which persons apparently were led to think that they should go out and manhandle some women in the streets. The Mover has not attempted to show what statements were made or to substantiate who said what at what meeting which led certain people to go and beat up any person. I would like to state that the Government does not condone anyone taking the law into their own hands and the Government has said so. The police are able to deal with these matters and still deal with them, and this was stated clearly to the public. The hon. Member was not at the meeting and all the states and says is that it was not reported. He held a meeting in Shauri Moyo and that meeting was not reported. Does it mean he never holds a meeting because it is not going to be reported? If, Sir, the Opposition insists on bringing flimsy Motions into the House they must be prepared to receive the answers.

Mr. Speaker, Sir, the police will deal with any cases of reported violence or manhandling or reported unlawful arrests. The hon. Members in the House know that if they have evidence to state on cases it is their duty and responsibility to go to the police and report the individual cases and they will be dealt with. In fact, we are aware that such cases as the police know of are being dealt with. This, Sir, is in fact the only issue that should have been raised by the Member in this debate. But if the Member was interested in the wider question of prostitution and wished to define them on grounds of unemployment or on grounds of poverty or on any grounds of hardship, he should have said so and the Government would have been quite willing to discuss the wider issues. In fact, on these wider issues, the Government issued a statement yesterday which clarified its position and its intentions which are, if I may say so, quite—

Mr. Shikuku: Is the hon. Member in order to go as far as that because I remember that I mentioned this and I was called out of order.

The Speaker (Mr. Slade): The hon. Member is quite in order pointing out that in purporting to raise a matter of one kind you have actually raised another kind. The matter which you purported to raise was assault and unlawful arrest, but in the course of speaking you dealt with other matters. An hon. Member is quite entitled to raise these other matters, but you should not introduce them when the matter of debate is on another subject.

Mr. Shikuku: Is it therefore to be taken that it could be raised differently at another time.

The Speaker (Mr. Slade): At another time, yes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, when the hon. Member made the attempt to confine this issue to one of unlawful arrest and beatings, he perhaps forgot that we in this House and the public at large did read what he said about this whole matter which was published in yesterday's paper. His memory must be very short, with the result that although there is a pretence here to suggest that all he is concerned with is the unlawful arrest and beatings-up, we know only too well that there was an attempt by him, as a man belonging to the Opposition party, to oppose the measures Government wishes to take purely for the sake of opposition. So, may I with your permission, Mr. Speaker, read an extract from what he said when he told a news conference in Nairobi that "His Party was against the whole idea of evicting prostitutes from the main cities".

Mr. Shikuku: On a point of order, Mr. Speaker, I think the hon. Member, if he chooses to read a piece of news in the papers should read the whole of it and not merely what I said.

The Speaker (Mr. Slade): That is a good point of order. If hon. Members quote from the papers they must read the whole context.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): As far as I am concerned, I have quoted what he said. Does he deny that he said this? I am prepared, Sir, to tell you that this is what he said, "from the main towns unless the Government creates jobs. I challenge the Government to set a good example by appealing to the country for men to have nothing to do with prostitutes". So, Mr. Speaker, in this news conference the Opposition does not seem to understand the point as—

The Speaker (Mr. Slade): I am afraid that you cannot make it now. We have had our half hour.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, may I ask a point because when the Opposition brings a Motion on the Adjournment we have only thirty minutes. They have raised issues which the Government is expected to reply to, but the Opposition took more than twenty minutes to say virtually nothing and in the course of our attempt to reply to the points we thought they wanted to raise, there was so much interruption that we only had about five minutes. If the Adjournment Motions are going to have any meaning at all I would have thought it was right that the Government should appeal that it is given an appropriate opportunity to reply or are we entitled to say that in view of the time they have taken we do not intend to reply?

The Speaker (Mr. Slade): The Movers of a discussion on the Adjournment have only half an hour, of which they are expected to allow one-quarter of an hour for the Government to reply because, presumably, they are seeking a reply from the Government. If they take so long that the Government cannot reply adequately, the Government cannot be blamed. But actually, I think today the point was so short that it could have been made and answered in five minutes on either side.

ADJOURNMENT

The Speaker (Mr. Slade): That concludes the business on the Order Paper, the House is now adjourned until tomorrow, Thursday, 11th July, 1963, at 2.30 p.m.

The House rose at Seven o'clock.

Thursday, 11th July, 1963

The House met at thirty minutes past Two o'clock.

(The Speaker (Mr. Slade) in the Chair)

PRAYERS

COMMUNICATION FROM THE CHAIR

STRANGERS IN PARLIAMENT BUILDINGS;
RULES OF ADMISSION

The Speaker (Mr. Slade): Honourable Members, I take the somewhat unusual liberty of making a Communication in this House with reference to certain Rules for Admission of Strangers to Parliament Buildings which I published three days ago.

My reason for taking this liberty is the importance which not only I but also most of you attach to these Rules, and the regrettable fact that some people—doubtless including some Honourable Members—are temperamentally disinclined to read notices or circulars.

I have often quoted, with reference to proceedings in this Chamber, the true saying of a great Speaker that "the dignity of a Parliament is in the hands of its Members". But the dignity of a Parliament must extend beyond the Chamber in which it sits, throughout its own Buildings, and even to the conduct of Honourable Members outside those Buildings; and all that also is in the hands of Honourable Members themselves.

The Rules which I have now made concerning Admission of Strangers to Parliament Buildings are, I believe, accepted by most Honourable Members as essential both for their own comfort and for the dignity and security of the Buildings and for their own comfort; but they will not achieve these ends unless all Honourable Members make it their business to see that they shall do so.

Therefore, as indicated in my notice of these Rules, I urge all Honourable Members to appreciate their own responsibilities in this matter, and to ensure effective operation of these Rules not only by their own ready compliance, but also by positively insisting upon compliance by all others with these Rules. Any Honourable Member who deliberately disregards them, or facilitates any breach, should be brought to my notice immediately.

Mr. Murgon: On a point of order, Mr. Speaker, Sir, Was the Minister for Information in order to come straight in and sit when you are delivering your communication?

The Speaker (Mr. Slade): I did not see the Minister do that but hon. Members should remain seated while I am standing, or if they arrive at the Bar should stay at the Bar until I sit down.

NOTICES OF MOTIONS

HANSARD FOR THE SENATE

Mr. Muliro: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House being aware that the deliberations of the two Houses of Parliament are complementary, expresses its greatest disappointment for failure by Government to produce Hansards of the deliberations in the Senate, and urges Government to make arrangements with the Government Printer to produce Hansard in the Senate immediately.

REINSTATEMENT OF INDIGENOUS PEOPLE ON CROWN LAND AND IMMIGRANT SETTLERS' LAND

Mr. G. Mutiso: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House, recognising that Crown Land and the land occupied by immigrant settlers, has been taken from the indigenous peoples against their wills calls upon the Government to rectify the position immediately, and reinstate the indigenous peoples on their own land free of any costs and without calling upon them to pay a purchase price under Settlement Schemes.

BRITISH GOVERNMENT RESPONSIBILITY FOR EX-SERVICEMEN AND DEPENDENTS

Mr. Masinde: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to discuss with the British Government the possibility of the British Government rewarding ex-servicemen and compensating the dependants of those killed in service before handing over responsibility for Kenya.

ORAL ANSWERS TO QUESTIONS

Question No. 23

INSTITUTE OF AFRICAN AFFAIRS

Mr. Gatuguta asked the Minister for Pan-African Affairs: In view of the fact that there was a great need for an institute of African Affairs in Kenya to carry on research, on African culture, history, etc., could the Minister tell the House whether the Government was prepared to establish such an institute?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, on behalf of the Minister for Pan-African Affairs I beg to reply.

Yes Sir, The Ministry of Education has had a project of this kind under consideration for some time. The blueprint for the preliminary plans of establishing an Ethnographic Centre has been completed and approved. This will provide a field of operation for research, and a staging-ground for further studies in addition to being available as an exhibition for the information of the general public. It is on this centre that it is hoped to build an Ethnological Academy for studies in African history, traditions, culture and way of life.

Efforts are now being made to raise funds for the centre. To this end, an approach has been made to an external source, but although reasonable progress has been made, no results can yet be announced. I am sure the House would not wish me to prejudice the outcome of the discussions by a premature disclosure, but at the appropriate time, a public announcement will be made.

Mr. Khasakhal: Mr. Speaker, Sir, could the Parliamentary Secretary tell the House where this institute is to be built and when it is supposed to be ready?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The present proposals are that this centre will be located at the Coryndon Museum.

Mr. Khasakhal: The Parliamentary Secretary has not answered my second question. Could he say when this is supposed to be ready?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): As I have said, the blueprint has been approved by the Government. It was approved by the last Council of Ministers and arrangements are now in hand to start the centre, but it takes a little time. The hon. Member should be patient. No undue delay will take place.

Mr. Ngala: Arising from the reply, Mr. Speaker, Sir, in the interests of Pan-Africanism, can the Parliamentary Secretary state why this question of African culture and history has not been taken in common with the East African University at Dar es Salaam who run courses widely held in East Africa?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): That is the ultimate plan, Mr. Speaker. The first stage

is to build the centre. When the centre gets going, then a proper academy will be established and this will be attached to the University of East Africa through the Royal College.

Mr. Ngala: Arising from the reply, Sir, can the Parliamentary Secretary state why this is not immediately incorporated with the University of Dar es Salaam, where I understand that African culture is one of the faculties?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The University College at Dar es Salaam also has the ultimate aim of having African studies concentrated there, but it will take time to have an institute like that, even at Dar es Salaam. In any case we shall need an institute here, also, in addition to the one at Dar es Salaam. There will be a link between the two later on.

Mr. Ngai: Mr. Speaker, Sir, since we have been told by the hon. Parliamentary Secretary that the Government is making plans to establish this institute, will the Parliamentary Secretary tell us whether the immigrant races who are already claiming to be Africans are going to be taken in to learn the true African culture in that institute?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, we on this side of the House do not look upon problems from a racial angle. Anyone who has made his home here and accepts the constitution of this country and is loyal to this country is an African.

Mr. Ngai: Mr. Speaker, the phrase here is "Institute of African Affairs", and I underline the word African. Will the Parliamentary Secretary tell us what (Inaudible)

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The question here is this. The word "African" covers 95 per cent of the population of this country. A little less than five per cent are people of non-indigenous origin. Whatever centre you establish it will, to all intents and purposes, be a centre which will represent largely the culture of the people who are indigenous to these territories, but that does not mean we can ignore even three, four or five per cent of the population.

Mr. Muliro: Mr. Speaker, Sir, arising from the hon. Parliamentary Secretary's reply, could he state clearly in this House why the Ministry has not taken the effort to see that the building of this centre is co-ordinated with the rest of East Africa?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): I have already stated that this will be related to the University of East Africa.

Question No. 17

AFRICANIZATION OF THE CIVIL SERVICE

Mr. Shikuku asked the Minister of State (Prime Minister's Office): What was the basis on which promotions to the post of Permanent Secretary were carried out, and what plans has he in mind for speedy Africanization of the Civil Service?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): On behalf of the Minister of State (Prime Minister's Office): Mr. Speaker, Sir, I beg to reply.

- (a) The basis, Mr. Speaker, on which promotions to the post of Permanent Secretary is carried out is on merit and experience, and within the overall Government policy with regard to the Kenyanization of the Civil Service.
- (b) The Government's policy on the Kenyanization of the Civil Service is to move as rapidly as possible, bearing in mind the need to maintain efficiency, towards a position where the racial proportions of the Civil Service more accurately represent the racial proportions of the population; in other words to increase the number of Africans in the Service at all levels.

Mr. Ngai: Mr. Speaker, Sir, would the hon. Parliamentary Secretary tell the House what he means by "Kenyanization"?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): I should have thought that a senior politician like the hon. Member would know what this means.

Mr. Ngai: Mr. Speaker, Sir, we have already got Africanization, therefore I would like to know what is the relation between these two words; Kenyanization and Africanization. Again, Mr. Speaker, I think you said yesterday on a point of order that hon. Members should speak with regard to the meaning of the question. The question here is Africanization and not Kenyanization.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, the Government uses correct terms, and if the Opposition insist on using incorrect

terms that is their fault. I would like to say again that for all practical purposes these two terms mean the same thing.

Mr. Murogo: Arising from the early reply, Mr. Speaker, will the Parliamentary Secretary agree with me that those members on the Civil Service Commission who represented their tribes benefited their tribes more than those that were not represented?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The Government is not aware of the facts to which the hon. Member has referred. The members of the Civil Service Commission are appointed on their merit and not on their tribal or racial affiliations.

Mr. Shikuku: Arising from the reply, Mr. Speaker, Sir, could the hon. Parliamentary Secretary tell this House whether the people on the Commission are completely immune to tribal feelings?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The Members of the Commission are competent and experienced men. They are appointed for their ability, and efficiency, their knowledge and qualifications.

An Hon. Member: On a point of order, Mr. Speaker, is it in order to ask a meaningless question?

The Speaker (Mr. Slade): No, but there have not been any meaningless questions yet.

Mr. De Souza: Mr. Speaker, is it right for Members of the Opposition to ask questions casting aspersions on the integrity of the Civil Service Commission?

The Speaker (Mr. Slade): They are entitled to inquire and to be assured.

Mr. Shikuku: Is the Parliamentary Secretary for the Ministry aware of the fact that there are some members in the Civil Service who have been there a long time and yet have not been considered for promotion, whereas there are some who are more or less junior to those who have been there for a long time and they have been promoted?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I have already stated that promotion is on the basis of merit and experience. All persons who are regarded eligible for promotion are considered for posts like these, and promotion

[The Parliamentary Secretary to the Prime Minister's Office] is decided on the sole basis of merit and ability. There are people who are senior to those who have been promoted, but then in the opinion of the authorities who are concerned with promotion, those gentlemen do not have as much merit as those who have been promoted.

Mr. Muliro: Arising from the hon. Parliamentary Secretary's reply—

An Hon. Member: On a point of order, Mr. Speaker, I am getting bored.

The Speaker (Mr. Slade): That is not a point of order. Do you have a point of order?

An Hon. Member: Is it in order, Mr. Speaker, for the hon. Members on the opposite side to stand up and talk to us without addressing the Chair?

The Speaker (Mr. Slade): I think all hon. Members are aware that they must address the Chair, but naturally in asking questions there is a tendency to look towards the man who is being asked the question. I think the behaviour of hon. Members this afternoon has been quite in order so far.

Mr. Muliro: Mr. Speaker, Sir, arising from the hon. Parliamentary Secretary's reply, could he give us the correct amount of people who have been promoted to Permanent Secretary up to now?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, so far three people have been promoted to the grade of Permanent Secretary. I am not aware of their tribal affiliations, if that has any connexion with the hon. Member's question. This Government is not interested in anybody's tribal affiliations.

Mr. Ngala: Mr. Speaker, Sir, arising from that reply, is the Parliamentary Secretary aware that in the new Constitution consideration must be given for regional representation in the Central Civil Service, and if he is aware of this what is he doing?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): The Central Civil Service is to serve the Central Government, and the Central Government sees to it that no injustice is done to anyone, any tribe or any race. Members are, as I have stated, recruited and promoted on the sole basis of merit and ability and that is the basis that is laid down in the Constitution.

Mr. Ngeti: Mr. Speaker, Sir, since the Parliamentary Secretary has been telling us that promotions are carried out on the basis of ability and merit, and since we have heard that many of the Permanent Secretaries are going home, will he tell us how many Africans have taken over these posts? How many Africans have been promoted to the post of Permanent Secretary?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): I have already answered that.

Mr. Towett: The hon. Parliamentary Secretary said, in one of his replies that Kenyanization was equivalent to Africanization. I want him to assure us that when we employ somebody from Tanganyika it is Kenyanization and not Africanization.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Kenyanization does really mean Kenyanization!

Mr. Pandya: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, will he agree that the only difference between Africanization and Kenyanization is that the former includes people of African origin only and that the latter includes people of all races who have made this country their home. That is why the Government prefers the term Kenyanization.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I have already stated that for all practical purposes Africanization is the same as Kenyanization. I emphasized the phrase that I have used: "for all practical purposes".

The Speaker (Mr. Slade): I would remind hon. Members of the arrangement that we have for Private Members' Motions on Thursdays, that is, we allow the first two hours for Motions officially sponsored by the Opposition, that is the first two Motions. At five minutes to five, unless otherwise agreed by Movers of the subsequent Motions, we shall come on to those two "free-lance" Motions.

MOTION

RAIDS INTO SAMBURU DISTRICT AND TURKANA

Mr. Rurumbani: Mr. Speaker, Sir, I beg to move:—

THAT this House being concerned about the brutalities and inhuman mutilation and emasculation of defenceless people in Samburu District and Turkana by Boran, both in Kenya and Ethiopia, calls on the Government immediately to give more protection to Samburu and Turkana and to censure the Ethiopian Government for these constant raids to people of Kenya.

[Mr. Rurumbani]

Mr. Speaker, Sir, this is a sad Motion and probably the first Motion of its kind to be moved in this House in this short period of internal self-government. It is not a Motion, Mr. Speaker, of a particular sector of people in this country, but it is a Motion calling on the Government to give aid to the people who are constantly harassed by other tribes in this country. It is in fact a Motion of national security.

Mr. Speaker, Sir, let us try to cast our minds back to the election campaign, before the last election and the previous one, when the two parties were at loggerheads, each party was trying to tell the country that their particular policy was the right one; and if that particular party wins the elections and forms the Government it would give this country hope, prosperity, security and tranquility. The last election is now over and it was obvious that the two parties would not tie in the election results. One party had to win. The Kanu party won the election and it has former the Government.

Mr. Speaker, within one and half months, during this short period of internal self-government, we have troubles from one corner of the country to the other. Troubles, various incidents, are now taking place. I am sure that the Government is aware of all that is happening, such as stock thefts all over Kenya, raids by the Dornas who are murdering and massacring people in a manner which is really brutal. Already, during the past few months, I have records of the loss in this country as a result of murders and raids which totals 82 in number, and therefore I say, Mr. Speaker, that the time has come for the present Government to prove itself to the country that it can rule this country without injustice. If the Government allows such incidents to take place day after day, surely it will bring great devastation not only to those tribes who are on the boundary of Kenya and Ethiopia but to the whole country.

I can give the House the names and numbers of the people already killed within this short period. On the 3rd or 4th June a village in Turkana was attacked and 32 people were killed, men, women and children. In the same month, the 11th of June, one Samburu was killed near Archer's Post, very close to the Isiolo Township, and 500 head of cattle were taken and no recovery was made. In the same month 24 people, Samburu tribesmen from one village, were massacred by Borans of this country. I have the names of the victims and some of those who were attacked are in the King George VI Hos-

pital in Nairobi and a victim gave me the whole story. Mr. Speaker, in that village where 24 people were killed the break-down of the incidents is as follows. In one village there are four different families. There is someone called Sartaren Lemuruk of Longlad Section who had two wives, five sons, one daughter, and all were killed. Learamo of the same section had one wife, two sons and one daughter, who were all killed as well. Nakushellan of a section known as Lokokichen had two wives, one of whom was killed and one managed to escape, three sons, one daughter, and his mother were also there. Seven people in that family were killed. Leonodex, who comes from my own section, had one wife, one son, one daughter and all were killed. Lenradada of Masala Section had a son and daughter who happened to come at that time to the village to play with other children and they, too, were killed. Mr. Speaker, this really is too pathetic and it is more than intolerable. It is a challenge to the present Government to show the country that it can maintain law and order in this country, or else it should resign and let Kadu take over the Government. Or else let us have complete autonomy in every region so that every region will defend itself in case of trouble. Or else let it tell every tribe to defend itself in every possible form.

Mr. Speaker, Sir, the incidents that have already taken place in the Northern Frontier District are most serious. The murderers are the people of this country and their leaders are in the Government side and the Government has done nothing either to recover or to bring the offenders to justice, or to censure the neighbouring territories for allowing their people to encroach into Kenya and commit such murders.

Again, Mr. Speaker, the incidents which have taken place are beyond estimation. In the Northern Frontier District there is a police force which is supposed to maintain law and order in that part of the country, and yet when one comes to think of the incidents which are constantly taking place and find that no one has been arrested, nor any number of stolen stock recovered, one really doubts what is going on in that part of the country. Mr. Speaker, Sir, I should say the Government should also lay the blame on the officers who were in those districts. For example, Mr. Speaker, in that particular place where the ten Samburu were killed, there were three tribal policemen in the next village from Marsabit. Two of them were Borana, one of them was a Samburu. When they heard the commotion and the cries of the people, Mr. Speaker, the Samburu tribal policeman asked the

[Mr. Rurumban]

other tribal policemen, who were Borana by tribe, to give aid to those people and they refused to go. What does all this indicate, Mr. Speaker?

Hon. Members: Tribalistic.

Mr. Rurumban: I hear, Mr. Speaker, some Members saying "Tribalistic". I wonder, Mr. Speaker, any Member taking this Motion, a serious one, as tribalistic, if such an incident occurred in the area from which he comes and then he came here with complaints, he would expect to be heard in this House.

Mr. Speaker, I urge the present Government—if it is truly the Government of this country—to put this situation in order before it gets out of hand. Now, while we still have internal self-government we are having these troubles one after the other; what about when we reach complete independence? This is the time, Mr. Speaker, if Knuu is the true Government of this country, or as they claim, for the Government to show the country that it is going to have peace. Mr. Speaker, I urge now the present Government to compensate the losses caused by such raids, and I urge the Government to try to cultivate co-operation with the territorial countries like Ethiopia and Sudan, so that the three countries can co-operate to stop all this chaos arising. I urge the Government to—

An Hon. Member: On a point of order, Mr. Speaker, is it in order for hon. Members to continue laughing when there is a Motion like this being discussed, when we are being given a report of people who have been killed?

The Speaker (Mr. Slade): If hon. Members are laughing at such sad events, then they are certainly out of order. I am not sure the laughter related to the subject-matter of the Motion. We can have too much laughter all the same.

An Hon. Member: On a point of order, Mr. Speaker, is it right for an hon. Member to say that we are laughing when it is serious and to say "Tribalism" when we are serious about this matter, Mr. Speaker?

The Speaker (Mr. Slade): You must put up with some interjections from time to time. Continue, Mr. Rurumban.

Mr. Rurumban: Thank you, Mr. Speaker. As I said, the Samburu and Turkana in the north urgently require protection from these raiders. I would also ask the Government to put a string of police along the Northern Kenya and Ethiopian boundaries because now these people have got

latitude in that area to act in any manner they want. I thought police are put there, I think they bring the situation under control. Mr. Speaker, Sir, I would ask the Government to put at the disposal of the District Commissioner at Marsabit enough police, so that in case of emergency he has sufficient police to assist him to arrest the culprits or to put the situation in order.

I would also urge the Government to detail one aircraft at Marsabit to be ready there in case of emergency because, at present, Mr. Speaker, an incident can take place, let us say, today and Nairobi hears about it after two days because of bad communications. If the Government could provide protection in the manner I have tabulated here, I think the situation could be eased.

My last point, Mr. Speaker, is that it is my contention and submission that there must be something wrong in the N.F.D., and it is up to the Government to ponder why all these atrocities are in the country. Is it that their policy is bad, or what? If they see that there is something wrong, they should rectify their policy. This morning in the newspaper we saw that the Somalis in the Northern Frontier District are forming a new political party to fight for their secession. Today we hear that, and tomorrow we shall hear of another incident involving the massacre of innocent people. All these incidents could lead to a situation similar to that in the Congo. I urge the Government now to take drastic steps to see that these hostile tribes are curbed and the harassed people are really protected. They can tell us to defend ourselves, and we can do so. We can start similar trouble, but because we are nice people, law-abiding people we have to ask the Government to give us the protection first. If we are not going to have any protection, then we shall have to defend ourselves.

Lastly, Mr. Speaker, I am glad that the Prime Minister is here and I hope that he is going to give me a satisfactory reply when he replies to this Motion, that in future these people will be looked after by the Government. The Government spends money creating unnecessary Ministries while, on the other side of the country, people are losing their lives. The Government should spend money policing those areas where there is danger, Mr. Speaker.

With these few words, Mr. Speaker, I beg to move.

Mr. ole Tiplis: Mr. Speaker, Sir, I rise to second this Motion.

The Motion is very clear, it is true, it is a very sound Motion and I hope the Government will understand and sympathize with the Mover and

[Mr. ole Tiplis]

the people and families who have had all their relatives wiped out by raiding tribesmen from across the borders of our country. I hope the Government will see good reason and sense in this Motion and that no Amendment is required but it will be accepted by the Government. We are not asking anything from the Government, we are reminding them of their responsibilities, their duty to save the lives of every citizen in this country is in their hands, and it is their duty to do that.

Having said that, Sir, my first point is this: it is all well and good for anyone to think that they are the Government, we give them all the credit for it, but boasting without action is meaningless. Mr. Speaker, we are very familiar with the incidents in the Northern Frontier District. It has been going on for years and years. We heard of the Turkana people being disarmed by the Government and left at the mercy of the raiding tribesmen from the other side of our border. Either the Government protect these people or else they should not disarm them and leave them to be massacred like a flock of sheep. This is a very serious matter, Mr. Speaker, and I hope the Government will at least do something to protect people who are living on the borders of this country, Kenya, Ethiopia, Somalia, Uganda and Sudan for that matter. These places are places of great danger and I believe that any decent government, any government, which believes in Pan-Africanism, which is preached not only in this House but also outside so often, will approach our neighbours who are self-governing or independent nations to create the good relationship that is required for the understanding of the African people in this part of the world.

It is no good, Mr. Speaker, to read in the papers every now and then that certain Ministers of our Government have gone to Addis Ababa to see His Imperial Majesty, have big parties there, then the following morning to read in the papers that some of our fellow countrymen have been massacred by people from the other side. I hope this is one of the things which the Ministers who were there recently brought to the notice of the Ethiopian Government.

It would be very interesting, Sir, and I hope the Government will have figures ready and disclose them to this House, not only for the interest of this side but for the interest of the whole country at large. We want to know the number of persons, innocent persons in this country who have lost their lives through these sporadic raids by people who crossed our borders. In giving these figures let us be told the number before the

Turkana were disarmed by the Government and also the figures for the last few months after disarmament.

Something is wrong, Sir, somewhere, on one side we are told that it is up to the Government to defend the territorial boundaries, but it is very, very surprising that when you have an incident of a person murdered in some part of the Rift Valley you have the whole force out with planes, tracker dogs and what have you, but here you have thirty-two persons and no trace of the culprit for these brutal murders to be brought to trial. We want to be told, Sir, that this Government is going to do everything. I am glad to see the hon. Prime Minister here. I am informed that the defence powers have been transferred to him which were previously vested to the Governor, and as such we expect a definite reply. What we are asking for, Mr. Speaker, is this: if this Government is unable to defend and protect our people who are being massacred every now and then, whose lives are threatened, whose conditions of living are made more difficult through fear day and night, then the Government should not disarm these people, they should be armed in order to defend and protect themselves. I would regard it as an act of inhumanity for anyone to disarm me and leave me to be murdered by my enemies. If the Government want to disarm-let it defend and protect them, otherwise, Government will be responsible and they are to blame for the people who have lost their lives in this way.

The Northern Frontier District is a difficult area, we know, but it is part and parcel of Kenya and as such should not be neglected. If this is the case then the Government has more duty here to see that these sort of raids do not continue.

Please let it be perfectly clear, the last point that I am coming to, Mr. Speaker, in this, we must go into this brutal act very, very carefully and try to find out the motives behind these raids, and also try to find out why our neighbouring Governments look so hesitant in trying to bring the people concerned to justice. This is a serious matter. I beg to second, Sir.

(Question proposed)

Mr. Godaas: Mr. Speaker, Sir, I would like to put forward some points on this Motion. I am the Member for Marsabit-Moyate and so I know a bit about it. I think the Mover of the Motion has made a mistake in saying that the Borana are making trouble in Kenya. The people who are making the trouble are not the Borana, they are the secessionist party.

The Speaker (Mr. Slade): What is happening with secessionists on your side of the Northern Province, I am afraid is not relevant to this question. The question before the House now is that of the trouble with the Samburu and the Turkana. The secessionists may or may not be Borana, but I do not think that question has anything to do with this question.

An Hon. Member: On a point of order, will the hon. Member substantiate that the Borana are not making trouble.

The Speaker (Mr. Slade): I think we will let the hon. Member continue with his speech.

Mr. Godana: Mr. Speaker, Sir, what I said about the secessionists is true, although the question of the secessionists is not in question at this moment. I would like to say that what happens in that area—I know because I come from there—and I think it is my duty to say what happens in that area. There is trouble in all areas, including the Boran area, that is why I say that the Boran are not responsible for creating the trouble.

The Speaker (Mr. Slade): It is not relevant to this Motion, you must keep to the question raised by this Motion.

I must explain to hon. Members: the question may raise a particular incident, and an hon. Member might think this similar to something that is happening somewhere else and he wants to talk about the other thing, too. Hon. Members cannot do this. They can bring another Motion about another thing though. This Motion referred to a particular state of affairs in a particular place, and that is all we can talk about when on this Motion. There is always the opportunity for another Motion, at another time, about similar incidents. Have you finished, Mr. Galgallo?

Mr. Godana: Yes, Mr. Speaker.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, some of the hon. Members on the opposite side think that this is something that has been started by this Government. The raids and massacres in the Northern Province have been there for a long time, this thing was happening in the Northern Frontier District—should I say the Northern Province—when some of my hon. friends were in the Government. Some of my hon. friends seem to tell me that they took action, I do not think they did. I was there for nearly ten years and I know what was happening. This is not a joke, it is not something which some of you can come here and make political or capital gains out of. It is something which

we must think deeply about and something we must take seriously. When you come to know what we are doing then you can decide for yourselves.

Mr. Speaker, Sir, I think we are very much concerned with the situation which is taking place in the Northern Province. In the first place, Mr. Speaker, the last time we had murders in Turkana and Samburu my Government gave some material aid to the suffering families, no matter how small this may have been, we did what we could. At the same time some of my hon. friends want to tell me to protect life. I do not think you like life more than I do. Every human being must consider human life, and this is nothing to play about with. You should know that the Northern Province has a long frontier. If we were to line up police in every part of the Northern Province I think we would need many thousands of policemen to cover this district. We have done what we can. When the massacre occurred we instituted investigations. The raiders in Turkana were followed up to the Sudanese borders, the other raiders were also followed in the same manner.

Mr. Speaker, Sir, we take this matter very seriously. Some of my hon. friends spoke glibly that we have sent Ministers to Ethiopia to enjoy themselves. I think they are very mistaken because it is on this very point that I, as a Prime Minister, thought it wise—instead of just standing here and talking about the massacres in the Northern Province—to do something. I have instituted discussions with the Ethiopian Government. I did not send a diplomatic note as in the past. I sent my Ministers to discuss this question of a Northern Frontier boundary with the Emperor of Ethiopia. This has been done on a high level and we hope that in a short time something will be done. Do not ask me how long we are going to wait, we have only a month while the Colonial Government took more than 70 years and yet nothing was done. We believe, Mr. Speaker, that with our Pan-Africanism beliefs in our hearts, we are going to settle the frontier business. We are going to stop these inter-tribal raids.

An Hon. Member: When?

The Prime Minister (Mr. Kenyatta): You ask me when. You want to disturb my speech, but my brother, you cannot do it. I am absolutely immune to your little petty interruptions and so I pay no attention to them.

Mr. Speaker, I said we are taking this business very seriously, we are about to take up this matter with the Sudanese Government, and I have already discussed this point with representatives

[The Prime Minister:] Mr. Speaker, I want to assure the House that we are doing what we can to see that these raids on the border are stopped. We cannot stop them by just coming here and talking nonsense and making opposition for opposition's sake.

Mr. Ngala: On a point of order, is the Prime Minister in order by referring to what the Opposition says as nonsense.

The Speaker (Mr. Slade): It is not in order to refer to other hon. Members' speeches as nonsense.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, may I just try to do something—

An Hon. Member: Apologize.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I do not think I have anything to apologize for. If I look at some of the faces of the Opposition Members I see that they are taking this matter very, very lightly. It is nothing to laugh about: It is a very serious matter.

Mr. Shlukur: Is the hon. Prime Minister trying to say that this side of the House is not taking this matter seriously, and will withdraw his remark in which he referred to our speeches as being nonsense?

The Speaker (Mr. Slade): I have ruled today, and on other occasions, that it is not in order for hon. Members to refer to other Members' speeches as nonsense, even if they think they are nonsense. That is enough. I have said that, and it is not a case of withdrawing anything. Now, Mr. Kenyatta is suggesting the Opposition is taking this Motion too lightly. I do not think he is justified in doing that, but it is not strictly a point of order, and hon. Members do say things like that about each other.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, I think this is not a subject to joke about and I am not joking. If you arouse me I will tell you what I think of you, but I will not do it now.

As I was saying, Mr. Speaker, we are doing what we can to stop these raids in the Northern Province. As I said from the very beginning, we have given material help to the suffering families and we will continue to do so. We also have increased and we are increasing the police posts in some parts of the Northern Province. We cannot do all these things overnight. We are determined, however, to stop raids in this area. At the present, because murders have been committed in

parts of the Northern Frontier District, we are employing large numbers of police contingents, as well as the army, to protect the lives of these people. I cannot tell you exactly what we are doing there and in other places because there are some matters which are not for discussion in this House. We believe in action, rather than talking in this House and doing nothing.

If our friends are patient, in a short time, Mr. Speaker, they will know that my Government means business and we are going to govern this country, we are going to keep law and order, whether it is wanted or not.

Mr. Speaker, Sir, some people cry autonomy; they want to have autonomous areas, so that they can defend themselves. With all due respect, if Central Government wants to protect you in Samburu or Turkana, how much would you be able to defend yourselves, armless, and so on and so forth? You are asking to be armed. Very good. Suppose we were to arm Samburu today, what would happen tomorrow? Tomorrow which these arms they will march either to Boran or Rendile or to the other side and do the same thing which you are asking us to stop in this House. We are not going to arm anybody, we refuse to do that. We are protecting them, as I have already said. We have put police in the field and we cannot do any more. We have put aircraft to patrol the area, Mr. Speaker, and I do not think we can do any more than we are doing at present. So, my friend, you be patient.

The Speaker (Mr. Slade): Please, Mr. Kenyatta, do not be provoked into addressing hon. Members on the other side.

The Prime Minister (Mr. Kenyatta): I am sorry, Mr. Speaker, but the more I look at them the more I feel I have to address them. I think, Mr. Speaker, they ought to be given a little lecture now and again.

However, this is a serious matter, Mr. Speaker. We have increased the police force in the area. As regards co-operation, which we have already taken with Ethiopia and Sudan, we have already taken the initiative on that. As far as compensation is concerned, we have given support to the families of the murdered people. I think somebody said that the officers who are working in the area are not doing their work. I do not think this is the time to be little what the officers in the field are doing, they are doing what they can to cope with the situation.

Mr. Speaker, with these remarks I wish to amend the Motion as follows:—

THAT all words after the word "Turkana" where it first appears in the Motion be deleted

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[The Prime Minister]

and the following words substituted therefor: "district by other tribesmen residing in Kenya or in neighbouring territories, notes with satisfaction that the Government is already discussing with the Ethiopian Government measures for preventing this inter-tribal raiding, and that similar discussions will be initiated with other neighbouring territories."

Mr. Speaker, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, I beg to second the amendment. There is very little to be said about this Motion, although I do not condone the killings in the Northern Province, but the Opposition must also remember that we are inheriting a Government which tried very much to encourage tribalism in the Northern Province and there have been skirmishes and quarrels between the tribes all over, and even when we had a Kadu Government and the Coalition Government we had all these experiences.

—Mr. Speaker, if this Motion was well intended it would have been welcomed 100 per cent. But if this Motion is intended to propagate against the Government and if the intention of the Opposition—

Mr. Seroney: On a point of order, Mr. Speaker, is the hon. Minister in order to impute improper motives to this side of the House?

The Speaker (Mr. Slade): No, there is an express Standing Order which forbids the imputation of improper motives. I am not sure that it is entirely an improper motive to embarrass the Government, but I do not think the hon. Member is justified in suggesting in this case that this Motion is designed to be awkward as opposed to being sincere. All hon. Members who have spoken to it on the opposite side seemed to me to speak very sincerely.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Thank you, Mr. Speaker. Although that may be the attitude, that they talk sincerely, I was referring to the general attitude on the Opposition side, and I would like to remind the Opposition in general that propaganda is also subject to the law of diminishing return, because the more they put propaganda to embarrass the Government they will get very little out of it.

Mr. Speaker, Sir, we do not wish to be reminded of our responsibilities I think we are responsible enough and we hope to cope with the situation in the Northern Province. I hope the

Members will be satisfied, although some of them may be later on running here to remind the Government, probably when we initiate or take action, which we really mean to take, in the Northern Province because of the incidents which have taken place there. The officers in the field there are working under great difficulties. They are working in remote places, but they are people who are experienced in their work and they have really tried to cope with the situation, and I hope that we shall be able to keep the whole area under control. However, it must be appreciated that in this area we have had some difficulties and these difficulties cannot be overcome overnight. The Opposition must also be advised not to try to encourage tribalism because it is tribalism which is causing quite a lot of harm to our people.

Mr. Shikuku: On a point of order, Mr. Speaker, could the hon. Member substitute what he is telling this House, that these raids have been promoted or caused through tribalism.

The Speaker (Mr. Slade): I do not think he went that far. He was just urging the Opposition not to encourage tribalism, which can be done by words in this House, of course. That is merely his command on certain speeches in this House; whether justified is another matter.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, that is obvious because in many cases we have had remarks on tribalism and even on regionalism in this House, and I am trying to appeal to the Opposition now, Mr. Speaker, that they should refrain as much as possible from encouraging tribalism because these murders are committed as a result of tribal feelings.

Mr. Ngugi: On a point of order, Mr. Speaker, I would like you really to give your ruling on this, because I think when a Government Minister speaks and says "this is tribalism", he is also carrying out more propaganda to show that he is speaking about Government policy.

The Speaker (Mr. Slade): There is no point of order there. You may object to what the hon. Member says with regard to speeches being tribalistic or otherwise, but you have an opportunity of answering him when your turn comes. It is not a point of order.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, I was just coming to the end of my remarks. There is one difficulty, one thing which must be very well understood, especially on the Opposition side, and that is that in the Northern Province

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[The Minister for Information, Broadcasting and Tourism]

we have a number of tribes who have been encouraged to live apart and not together. It is the duty of the present Government to see that we bring about harmony between these tribes, so that they can live together, but the Opposition, instead of supporting the Government, are trying to pull us apart, instead of fulfilling the philosophy of Harambee, Mr. Speaker, Sir—

Mr. Rurumbaan: On a point of order, Mr. Speaker, is the hon. Minister in order in saying the Opposition are opposed to the policy of Harambee?

The Speaker (Mr. Slade): I do think, Mr. Onko, that you and some of your colleagues are going too far in suggesting the Opposition is trying to create trouble between tribes. You may be justified in saying, or you are entitled to say, that what they do in this House can have that effect, but you must not impute to them the motive of making trouble.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): I have some experience, Mr. Speaker, because for about five years I was in the Northern Province and so I speak with some authority and some knowledge about the Northern Province where the Administration was trying to encourage them. It is a gap we are now trying to narrow and this is the reason why I say that the effect of the speeches here and outside this House may be of great danger and may make it very difficult to put an end to these tribal clashes.

The Speaker (Mr. Slade): You are entitled to say that, but you must not say that in their minds are bad motives.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, although I entirely agree with you, I think in the minds of the Opposition there is a tendency to impute bad motives.

Thank you very much, Mr. Speaker.

(Question of the first part of the Amendment that the words proposed to be left out, be left out, proposed)

Mr. Seroney: Mr. Speaker, we are getting fed up with being lectured by the other side of the House as to what the duties of the Opposition are. Unless we want to kill democracy in this country, we cannot allow ourselves to get into a situation where the Government tells us we can only criticize them in one particular way and not

in any other way. The Government cannot be a judge as to what constructive or destructive criticism is. Members of the Government cannot be a judge in their own cause where they are interested parties.

An Hon. Member: On a point of order, Mr. Speaker, is the hon. Member in order in talking about something quite different from what is being debated here.

The Speaker (Mr. Slade): Yes, he is quite in order in answering speeches that have been made from the other side. Certainly the Opposition has been lectured in this debate by Government Members as to what is constructive and what is not constructive. Certainly they have the right to answer that.

Mr. Seroney: Mr. Speaker, Sir, the Government is perfectly entitled to amend this Motion and to tell the House what they have been doing. I would like them to put themselves in the position of the Mover who is a constituency Member for whose people have been murdered.

Mr. Speaker, this Motion was designed to ensure that the public gets to know whether in fact the Government has been doing nothing or has been doing something. It was not ill-intentioned, it was not meant to suggest that the Government was doing nothing, it was meant to enable the country to know what the Government has been doing or will be doing to protect the citizens of this country.

Another thing which I want to clear up is this. There has been a suggestion that we, on this side of the House, are insinuating that the public officers are doing nothing. We suggest nothing of the kind and we, on this side of the House, wish to congratulate the police force and all administrative officers for what they have been doing.

The intention of this Motion was to give added protection. It was not suggested that the officers in the field have been doing nothing.

The Speaker (Mr. Slade): I think the Mover did say something by way of criticism of officers in the field.

Mr. Seroney: Mr. Speaker, I stand corrected. I can, however, assure you that it is not the intention of this part of the House to go that far. An hon. Member has said that I was not in the House but I think I was here right from the time the Motion was moved.

[Mr. Seroney]

Mr. Speaker, I wish to congratulate the Prime Minister for what he has said about taking steps with the Sudan Government and the Ethiopian Government. I should also like to have added "with the Uganda Government", because these attacks against Turkana do not always come from Sudan only.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, I would like to say something here if I may. It is possible I forgot to mention "Uganda," but we have discussed this question with the Government of Uganda as well.

Mr. Seroney: Mr. Speaker, Sir, the function of the Opposition is precisely to draw out from the Government what it is doing, and if this Motion has done nothing else, at least it has enabled the Government to tell the people what it is doing.

I would strongly appeal to the Government not to resent these questions because the public want to know these things and it is only through the Opposition raising such questions that the Government has an opportunity of informing the public what it is doing.

Mr. Speaker, Sir, I am speaking now as a Member from the Rift Valley Region, which is one of the most difficult regions as it includes Turkana, where these troubles occur, and Samburu as well. Now, this Motion has two aspects: it has an international aspect in that it affects Somalia, Ethiopia and Uganda, but it also has an inter-regional aspect. The people who came and attacked Samburu passed through one region to get into Samburu and that is what I meant when I said that this Motion has an inter-regional aspect.

Under the Constitution the primary—as opposed to the secondary or the ultimate—responsibility for law and order is a regional subject. Mr. Speaker, Sir, hon. Members want to know what we have done. I can assure this House that as far as my area—as far as law and order are concerned—we shall do everything in our power to maintain law and order within the Rift Valley Region. However, where issues affecting two regions are concerned—where people pass through one region in order to get to another—we are entitled, and we ask the Government to give as much co-operation as possible, because we shall be calling on their help from time to time. We shall be co-operating with them and we therefore feel that they should co-operate with us.

In this connexion we are going to move, within the terms of the Constitution, to have the National Security Council meet immediately. All Regional

Assemblies have had their elections and the members there follow automatically on the provisions of the Constitution. We would like the Governor to convene a meeting of the National Security Council as soon as practicable without any unnecessary delay, because it is in this quorum of the National Security Council that the police functions as between regions, and whatever help the Central Government can give to any particular region, can be co-ordinated. I think the sooner we do that the better.

Mr. Speaker, Sir, as I have already stated, I must end now. We shall exploit resources within the Rift Valley to the maximum advantage where they are needed and we ask the Government to co-operate with us, particularly in this specific region, which is complicated by issues which are either inter-regional or international.

With these few remarks, Mr. Speaker, I support the original Motion and I oppose the amendment.

Mr. Ngeli: Mr. Speaker, Sir, in my own consideration I think this is a very serious Motion and I am pleased—although I was not here during the full time when the Prime Minister was discussing it—to say that I think the Prime Minister is in a position to understand the provisions and conditions under which Turkana, in particular, do live, and the Motion here is a very clear one. Because of this I was surprised to hear some of the Ministers on the Government side replying with the usual word which we are tired of hearing and which is very much over-used. Everything that we try to speak about we are told is tribalism. What I can only say, Mr. Speaker, to such remarks is that I leave it to the amazement of Kenya. However, the crux of the matter is not answered. We are here to seek information from the Government and every Government Minister stands up and says "Tribalism, tribalism." If we wanted to go deeper to analyse the veins of tribalism on the Government side I think we could be far more truthful than anything else.

The question before us is to give more protection, not only to give protection. The sentence itself is understandable: "To give more protection": the word "more" is stressed. This does not imply that the Government is not giving any protection to the people. What is required is to give more protection. I think the Prime Minister and the Parliamentary Secretaries for Education and Labour do understand what I say because they are very well versed with what has been going on in Turkana. The Minister for Information does not know this because he was somewhere else—Galole, or some other place.

[Mr. Ngeli]

When I speak here, Mr. Speaker, I speak with authority and pride because I belong to the Boteta tribe of Turkana and I have a nickname in Turkana. I know their position, I know every thing, and I have had consideration for these races for seven years. I have been watching the attacks which have been made on these harmless people. I now ask the Prime Minister to take notice of some of the remarks which have been made by some of his Back-benchers because they do not appreciate the seriousness of this Motion. Suppose you are put in the Opposition, suppose your wife and children were killed, murdered, and somebody comes here and shouts "Tribalism, tribalism," what would you say? We are not trying to build up the business of tribalism here. We are seeking information from the Government as to what measures they are taking to protect those people who are being butchered at night by raiders from Ethiopia and Sudan.

Mr. Speaker, I want to narrate a short history. This is what happened. In Turkana there are times when everything is dry. These people have no water nearby; they have no grazing; they move near the Ethiopian border to a place called Namuruputh or Tediota. That is the place where they get good ground for grazing. They have the raiding Merille tribe from Ethiopia to beware of when they go up there. These Merille tribesmen are armed—they get arms from the Ethiopians; I do not know whether they smuggle them, but I do know that they get arms from there because I have evidence of his and have seen a lot of arms being taken from the Ethiopians—and they swoop down on the Turkana, and raid them. We have a Government here who try to arrest those who smuggle arms from outside. These Turkana do not have a spear, nor a bow—all the spears are collected by the police—and they say that they are running from the hunger spots, from places around Lodwar, around Turkwell, around Turkwell, around these other places and they go to the Ethiopian border in order to get grazing.

They have nothing behind and they see something good in front of them, and they are attacked by the raiding Marille. They have no offensive weapons, and offensive weapons according to the law include a sharp spear; therefore they cannot keep spears, they cannot keep bows or arrows. They cannot keep any of these things to defend themselves except, perhaps, stones which are easily available there. These Merille come down in numbers to raid and they kill innocent children, even old people.

The Motion before us is very clear. What protection is the Government going to give? There is

the Uganda border, and, with all due respect to the Prime Minister for the information given in this regard, we know very well that certain raiders come from Karamoja; in Sudan from Torit; and of course from Tediota. These people all raid the Turkana, and as a result these poor people have to run from one place to another. Is this going to be treated as cheap propaganda of tribalism when they are really only asking for protection. I want the Prime Minister to be more serious not to play about when such a Motion is raised. Is it our intention to raise the tribalistic feelings of these people? Does it mean, Mr. Speaker, that a Member, representing a certain amount of constituents, either tribal or non-tribal, is not entitled to speak on behalf of those who voted for him to come to the National Assembly? Is it right to brand that man as a tribalist when he says that he wants fair protection for these innocent people?

[The Speaker (Mr. Slate) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

I think Mr. Deputy Speaker, this is really a serious case. Some of the Members now present in the House drive in Nairobi; they have cabs; they have butters; they have everything; they have luxury cars. Yet when the Government say that it (inaudible) as to provide for the poor Turkana people they have no money for them. They just go on shouting slogans. Therefore, what I would like to say, Mr. Speaker, is that—

The Deputy Speaker (Mr. De Souza): Order, order.

Mr. Ngeli: With reference to public officers. We know the conditions under which the public officers are working.

The Deputy Speaker (Mr. De Souza): I do not quite realize the relevance, the private lives of public officers has to the Motion we are discussing.

Mr. Ngeli: Because it has been raised here, Mr. Deputy Speaker. We have been accused of not really seeing that the public officers do their work over there. That is what I want to say.

The Deputy Speaker (Mr. De Souza): I think we will keep to the subject under discussion.

Mr. Ngeli: It is a subject for discussion. Mr. Deputy Speaker, I think this is a subject for discussion because they are—

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The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of order, can a Member refuse the direction of the Deputy Speaker, when he asks us to restrict ourselves to the Motion?

The Deputy Speaker (Mr. De Souza): I would like to make a ruling first. I think that we are straying far too far from the Motion: "That this House be concerned about the brutalities and inhuman mutilation and emasculation of defenceless people, etc." I do not think we want to discuss the private lives or otherwise of Ministers while on this question of the Northern Frontier District. I will restrict the debate to the particular Motion and not to the private lives of Ministers.

Mr. Ngei But, Mr. Deputy Speaker, I would like when speaking—

Mr. Ngei: On a point of order, Mr. Deputy Speaker, this point was raised a little while before you came to the Chair, and it was ruled that it was in order for the Opposition to answer the public officer question, which has been raised by the Government. I would like to seek your guidance on this matter.

The Deputy Speaker (Mr. De Souza): I do not know what was the previous ruling but my ruling stands.

Mr. Ngei: Just before I finish, Mr. Deputy Speaker, I would ask the Prime Minister, because he understands what goes on there, to treat this matter with seriousness. We should get some information also about getting more protection for the Turkana and Samburu people.

The Parliamentary Secretary for Education (Mr. Kagia): Mr. Deputy Speaker, I think this is a very, very serious Motion. I think there is a great difference between seriousness and emotionalism. I think the seriousness of this Motion would stop any Member in this House from making capital out of the Motion, or to make an emotional issue of the Motion. I also can claim to speak with authority, as my hon. friend has claimed on the other side, because I have been in the Northern Frontier District for about ten years. I have seen the Turkana, and other tribes, being murdered every now and then. As the Prime Minister said, this is not a new thing, it has been happening for many years and I am glad that our Prime Minister has told the House what our new Government has done and is trying to do. The Prime Minister has told us what has been done by our Government and has also promised that the Government is going to do everything possible to protect these people and

to stop the recurrence of such raids. I think that the Government side has more Members with knowledge and experience of this area than the Opposition. That is why we are more serious and realistic about this than the Opposition.

Mr. Deputy Speaker, I would like to inform the House—for those hon. Members who have not the experience of that area—that it is very difficult, as the Prime Minister has already said, to cope with the situation there. I have been there, as I say, and have seen various incidents where raids have taken place. In many cases the raiders have been able to get away with it not because there was not protection, not even because the raiders were more in number than the Government forces, but just because they know more about desert warfare tactics than either the police or the Tribal Police. However, in every case the police or the Government forces have tried their best.

Therefore, Mr. Deputy Speaker, I would like to support the amendment, saying that the Government only after a very short time in office, has done more than the Colonial Government which has been here for years. Many of the Opposition Members have been in the past Government and they never did anything like this. So I challenge the seriousness of the Opposition. If they were serious in this matter they would give our Government time to see what we are able to do. They were in the Government for a longer time than the Kenya African National Union and they did nothing.

Therefore, I think the amendment has shown what the Government can do in such a short time and they should wait and see what happens after the Prime Minister's undertaking. They must wait and see what we are going to do in the next few years. Mr. Deputy Speaker, I sympathize with the Mover of this Motion. I have put myself in his position, and I have seen people being murdered and I am not talking from what I have heard, or what I have read in the papers. I would hate to stand here in this House, Mr. Deputy Speaker, and speak as if the whole blame lies on the shoulders of this Government. Our Government is not responsible for what has taken place, but our Government is doing whatever it can to see that we stop this in the future. We were not in the position to stop this in the first place, but now that we are in the position to do something, we are going to do the best we can. We should also expect the Opposition to understand the difficulties. I do not think that anyone should think that the Kanu Government is Almighty God and that it can do anything that other people have

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[The Parliamentary Secretary for Education] failed to do. In spite of that we have tried to do what the Colonial Government failed to do. I am sure that we are going to do something.

Therefore, Mr. Deputy Speaker, I would ask the Opposition to think seriously about this instead of just talking emotionally. They should co-operate with the Government. We realize very well the difficulties we have to face, and if they do that they will be serving the people in the Northern Frontier District, but if they just talk and they do not co-operate with the Government, I think they will be doing a great disservice to the people concerned. Therefore, Mr. Deputy Speaker, I would like to support the amendment and also record our sympathy with the people who have suffered. I promise that our Government will do everything possible to see that we stop the recurrence of these raids.

Mr. Okello: Mr. Deputy Speaker, Sir, this is really a very, very serious Motion, and I think anybody who stands up and says that this side of the House is not taking it seriously is absolutely wrong. It is not only us here, on this side of the House, who are serious, but I believe that the public as a whole in Kenya, and in East Africa, are very serious about the situation in Turkana and the Northern Frontier. Therefore, it is absolutely wrong for anybody, Mr. Deputy Speaker, to stand up and say we are not taking this matter seriously. That is why we have brought this Motion, it is because we think this is a very serious situation and it should be dealt with here in the National Assembly.

Mr. Deputy Speaker, I would also like to add a few words to this Motion, and to what my friends on the Government side have said. They think that we do not recognize this Government. I assure them that it is we, together with them, who fought so that the African Government is now here, therefore, with all due respect, we respect the African Government. However, it does not mean that even if we respect the African Government we are not going to show the Government what we want Government to do for our people in such cases. When our people need attention from the Government we must tell the Government what they are supposed to do for the benefit of our people. That is why this Motion was brought, because we need protection for the Northern Frontier people. Anybody who says we are tribalists is absolutely wrong. I can say, Mr. Deputy Speaker, that the hon. Members on the Government side are first-class tribalists.

Therefore, Mr. Deputy Speaker, this is not a matter that we should argue on just because we

are different parties. It is a matter of national importance. What we are trying to find is security and protection for the people of the Northern Frontier. They should not tell us here that we expect the Government to be little gods, we know that they are not gods, but we also believe that everything is now in the Government's hands and they should take police from other places and put them in the Northern Frontier to protect these people. You must not say that we must give you time, what time do you need? You have got lots of policemen and you have got everything. Therefore, you should do something.

If I feel cross it is because I feel nervous about it, not because the Samburu being shot down are my tribe but because they are Africans. I think that it is the main thing, we are all Africans and therefore these people should have lots of sympathy.

Mr. Deputy Speaker, Sir, I would like also to add to that that we are very glad to hear that the Prime Minister has made arrangements with neighbouring countries like Ethiopia and Uganda, but just to send a Minister to talk is not sufficient. Mr. Deputy Speaker, The Ministers are there but what we understood is that they went there to discuss cessation and the Federation of East Africa, and not the security of this country. We are in Kenya and therefore we know. I would congratulate the Prime Minister if he has sent these Ministers to the neighbouring countries, to Somalia, Ethiopia and Uganda, but all we are interested in is to see that something is done today and not tomorrow.

Mr. Kamau: On a point of order, Mr. Deputy Speaker, is the hon. Member of the Opposition in order when he arranges for the Ministers to be sent out by the Prime Minister? Is he saying that the Prime Minister is telling a lie in this House when he says that the Ministers who are out are discussing the dispute on the boundaries?

The Deputy Speaker (Mr. De Souza): What exactly is your point of order?

Mr. Kamau: My point is that the hon. Member alleges that they have been cheated, that the Prime Minister has stated he has already taken steps with the Ethiopian and Sudan Governments. Now the Member is alleging they were deceived because they were discussing the Federation of East Africa.

The Deputy Speaker (Mr. De Souza): I do not really think that is a point of order.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odonoro): I am only too glad, Mr. Deputy Speaker, to inform

[The Parliamentary Secretary for Finance and Economic Planning]

the hon. Member on this point of order. I think that the hon. Member was saying was, is the hon. Speaker in order in casting doubt or suggesting that the Prime Minister was lying?

The Deputy Speaker (Mr. De Souza): I do not know whether you were asking a question, but was you saying that the Prime Minister was lying?

Mr. Olololipit: No, Sir.

Mr. Mutiso: I would like to know whether it is in order for a Member to try and correct a point of order of another Member.

The Deputy Speaker (Mr. De Souza): He is entitled to explain what the point of order really was.

Mr. Olololipit: I think we have wasted enough of our time because of some people who come to speak vernaculars while we are speaking English. In fact, Mr. Speaker, I did not allege anything. In all I have said I have never alleged that the Prime Minister was lying. I said that I was only too glad to hear that the Prime Minister had made arrangements with the neighbouring countries. All I am interested in is to see action, because words alone are not sufficient, all we want, Mr. Speaker, is action to secure the people of the Northern Frontier.

Therefore, Mr. Speaker, I want to say that these people who have lost their lives and also their cattle, Government should do something to see that they are compensated, Mr. Speaker. Our idea here, as I said long ago, is to be constructive, not destructive. We are here as Opposition, and we are the people of this country, we are a constructive Opposition, we are here to show the Government what we want to be done for our people and it is up to them to fulfil what our people need.

Therefore, Mr. Speaker, to this matter again I say that those Samburu people who have been massacred and have lost their children and cattle, the present African Government which has sympathy for their African fellow men should do something to compensate these people. During the previous days, the colonial days, we have been crying that the colonial people are harming us, they never do anything for us, now the Prime Minister in his first speech said, Mr. Speaker, that he was going to give first priority to the neglected tribes of Kenya, which I think the Samburu and Turkana are among. Therefore, at this proper moment, Mr. Speaker, I think the time

has come when these people should see what the first Kenya Prime Minister will do for them. Especially when they have lost all they had for their living: I also want to make it very clear to the Back-benchers, Sir, we are not here to try and break the Government; in fact we are proud of the African Government, but the trouble is that the people should not stand and say that we are trying to gain cheap political propaganda.

Therefore, Mr. Speaker, I should like to say that I really support this Motion and I should like to see the amendment of it moved and something done straight away. I am also glad that the Prime Minister has heard enough; he knows a lot about the Northern Frontier District, and we are looking forward to see what action the present African Government is going to do. With those few remarks I beg to support.

Mr. Gichoya: Mr. Deputy Speaker, I stand to support what the Prime Minister has put forward as an amendment to the Motion. The Motion, whether in the first part or in the second part is most sympathetic. No one would like to see someone being massacred.

Mr. Shikuku: Certain Members appear to be thinking about yesterday's Motion and speak as if they were whispering to their girl friends.

The Deputy Speaker (Mr. De Souza): I think it is quite unfair and out of order to say that Members are speaking on this Motion as if they were whispering to their girl friends.

Mr. Gichoya: Mr. Deputy Speaker, the Opposition group has put certain allegations for which we ought to have demanded, of course, substantiation. One Member, who brought this up later, said that our Ministers, who had been sent out did not go to Ethiopia for the very intention to which our Prime Minister had sent them.

Mr. Shikuku: Mr. Deputy Speaker, I thought you had ruled, and the latest Speaker having explained you realize it was not an imputation that the Prime Minister was lying.

The Deputy Speaker (Mr. De Souza): I think the hon. Member is saying that somebody said the Prime Minister was lying. He said he is trying to reply to certain allegations he thinks a particular Member made, in perfectly in order.

Mr. Gichoya: The Opposition side, Mr. Speaker, has stated that they want immediate action to be taken.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

[Mr. Gichoya.]

If we really understand the English language, we can actually deduce from the statement of the Prime Minister, that steps have already been taken. In the first place, a delegation has been sent to Ethiopia, or rather in the first place if I am correct, some money was advanced or given in the form of compensation to the area concerned to help the people who lost their families. In the second place, apart from following the normal diplomatic routine, a delegation of our Ministers was sent to Ethiopia. Thirdly, the Prime Minister states clearly, that in addition to the normal police routine of patrolling the area, aeroplanes or helicopters have been sent to that area.

I think, if we look in terms of immediate steps, these would be the fundamental immediate steps any Government ought to take and these steps our Government has taken.

A Government is not an individual and the work of a Government has to be done according to the normal process, bearing in mind the gravity of the situation and our Government is 100 per cent alive to what is going on in the Northern Frontier.

The Motion as originally put was not bad, but it ignored that this is a Government, not an individual, again the people who moved it, moved it with the intention of making a political issue out of a human issue.

The Speaker (Mr. Slade): I don't like the imputation of bad motives, please do not continue in that strain.

Mr. Gichoya: Thank you, Mr. Speaker, Sir, it is now so far clear to everybody that our Government and everybody in the country is aware of the situation in the Northern Frontier and steps have been taken, and if necessary, of course, more will be taken. Our intention is to have a Government where everyone feels secure; that is the intention of the Government, but not the intention of the Opposition I fear, Mr. Speaker, Sir, let us look at the Northern Frontier issue with a different angle.

Here we have a situation where, as it was stated long, long ago, certain powers are interested in bringing in destructive forces within the area and it is a situation over which our Government has to be very careful in tackling. We cannot just jump on the issues anyhow, otherwise we find our country being involved with another country, Ethiopia is a friendly nation, I believe also Somalia would be a friendly nation, although at the present moment we are slightly at loggerheads, these are practical realities Mr.

Speaker, and we are sure in the near future that the situation in the Northern Frontier will be improved.

The Speaker (Mr. Slade): We have almost reached the point whereby I am proud of the Resolution of the House to call on the Mover of the Motion—reply, so I have to put now the question of the amendment.

(Question of the first part of the Amendment that the words proposed to be deleted be deleted put and carried)

(Question of the second part of the Amendment that the words proposed to be inserted, be inserted, proposed)

(Question of the second part of the Amendment that the words proposed to be inserted, be inserted, put and carried)

(Question of the Motion as amended proposed)

Mr. Rumbaa: Mr. Speaker, Sir, I do not think I have much to say because I was very pleased to see that both sides of the House were sympathetic towards this Motion. First of all, I would like to thank the Prime Minister for telling us what he has done since the occurrence of these incidents. Secondly, I would like to thank the Opposition side for their excellent contribution. I was only surprised, because I did not expect any amendment to be made to this Motion, Mr. Speaker. However, I accept this amendment.

The Government should wake up and realize that there is danger there.

I should like to bring up now a point raised by the Government side. The hon. Member for Marsabit and Wajir said that it was not the Boran who were responsible, but the Borana secessionists. This is interesting because the hon. Member is the leader of the tribe. He has the responsibility as the leader to see that his people will not cause trouble in this country. And yet he has done nothing, except remain in Nairobi.

I was also a bit surprised by the remark made by the Prime Minister that there has been trouble there before. I agree, but it has not been so bad as it is at the moment. During the Colonial period, I do not think we ever heard that Samburus had been killed by Borans, or that people had been killed by other tribes. I was glad, however, to hear him say that the Government is very concerned about this, and that material aid has been rendered, and that he is trying to bring the situation under control. But I do not think that much aid has been given to those who have been killed. I ask the Government for compensation for these people. In our own customs we have

[Mr. Rurumban] what we call "blood money", and I think this applies to every tribe in Kenya. If a man kills a neighbour he has to compensate the neighbour's family. This would help to prevent tribes from attacking one another.

He said again that if the Government were to put enough police to patrol the frontier fully then they would require a thousand policemen. What we want is protection from enemies, however.

I was also glad that he has already initiated discussions with the neighbouring governments, i.e. Sudan, Ethiopia and Somalia governments as to how to bring about better relations between the countries. He made another point asking us to be patient, and I would ask him, Mr. Speaker, how long have we to be patient?

Another hon. Minister, Mr. Achieng-Onyok, said we are inheriting a Government which was encouraging tribal politics. Surely, Mr. Speaker, in the Colonial period, there was not so much trouble as there is now.

We want the Government to give help to any tribe which needs it.

The Government has said that it has done much in a short time, but this is not enough, what we want is action, now.

We do not want to hear about another raid tomorrow, and more people killed.

With these few words, Mr. Speaker, I beg to move.

(The question of the Motion as amended was put and carried.)

Resolved accordingly:—

That this House being concerned about the brutalities and inhuman mutilation and emasculation of defenceless people in Samburu District and Turkana District by other tribesmen residing in Kenya or in neighbouring territories, notes with satisfaction that Government is already discussing with the Ethiopian Government measures for preventing this inter-tribal raiding and that similar discussions will be initiated with other neighbouring territories.

MOTION

The Speaker (Mr. Slade): Mr. Onogo is not here, so I am afraid he has lost the opportunity of moving his Motion today. We will take the next Order.

COMMERCIAL ENTERPRISE AT HOMA BAY

Mr. Ngala-Aboki: Mr. Speaker, Sir, I wish to move:—

THAT this House calls upon the Government to take urgent steps to stimulate and assist industrial and commercial enterprise at Homa Bay, the only town in the new district of South Nyanza, thereby encouraging employment and the development of a happy and progressive town there.

In moving this Motion, Mr. Speaker, I see that it is confined more or less to Homa Bay, but I would not mind other Members participating in it in any other form, provided that what I mean to bring to the notice of our Government is understood, although I do not see the Minister for Commerce and Industry here, I think some answer will be found to what I am going to say about this Motion.

We have several towns which have been planned and which are meant to give certain services to the people living around those towns. For example, there is Homa Bay. This town has not been there for a long time, it is about two years since we started using this town, and in fact at the moment it is looking like a dull, small, shop-like area where there are no people at all. In the town we have a few Government houses and a few Asian shops and one hall, which I think is the African District Council hall. I do not see any other buildings there which would encourage people to visit the town, to enjoy the town, and to feel that they have a centre which can be called a district headquarters.

In bringing this Motion forward I wanted to find out whether the Government has any plans at all for improving this town, for inducing investors to invest in this district, for introducing commercial houses and encouraging traders to visit this town and to see for themselves whether they could help us bring some progress to the town. South Nyanza, which is supposed to be served by this district, is a new district according to my Motion, and this area is a farming area. South Nyanza grows plenty of sugar, we have cotton, we have groundnuts and there is fishing all round the town. The people there are very much interested in fishing and, to a certain extent, nearly everything that we can get from any district is available in the district of South Nyanza.

However, as you know, at the moment people look to the towns as the only places where they can get nearly all the kinds of food they want, where they can get better clothes and where they can go to enjoy themselves and rest when they are fed up with the reserve after having dog for the whole day and probably looked after cattle; they are tired of staying in the reserve and they want to visit the town and see what is happening. If you went there now, Mr. Speaker, you

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would find that it is very, very dull and almost as dark as a house. There is nothing in the town but a few buildings, as I have said, and you never see anybody moving there. When I visited that town last week-end I felt that our Government should do something about it, because when I was investigating as to what plans the local government or Regional Assembly, for that matter, has for developing this town and making it a useful town for the people living there, I was told there were certain plans that could have been carried out—I do not know whether by the Ministry of Town Planning—but because the country is moving swiftly towards independence and because the Government is being handed over to the Africans. Some of these plans could not just be carried out as there was no money.

An answer like that is very discouraging and that is why I was interested and stimulated to bring this Motion to the notice of our Government, so that through the Ministry of Commerce and Industry and through the Ministry of Town Planning we could get to know what exactly the Government has got in mind in inducing investors and introducing some commercial progress in this town.

Initially, Mr. Speaker, the people around the area should try to show the Government that they are interested in progress. They should initiate certain businesses so that they may ask the Government to assist them. They should ask for factories such as fish-canning factories and sugar factories, small factories for which the Government can easily give them a loan. However, before they understand how these factories operate and before the Government carries out the campaign to help them understand exactly how they go about this, it would be very difficult, and it is already very difficult for these people to start doing anything except to send a representative of theirs like myself to ask the Government what else it is going to do apart from building a good office for the district commissioner and a few other buildings which are already there. There is indeed a building there for prisoners and, of course, the previous Government gave priority to prison buildings and other places where they could keep the Africans when they made a mistake. However, they did not really give priority to such important functions which any Government would carry out initially, such as building a hospital—at the moment we have a small building, it is more or less a maternity hospital—which could not treat the whole population in the district.

As I have said, originally we were directed and served by Kisii as a district headquarters, but

after having moved to Homa Bay nearly all services are now being directly from the town. Therefore, I would like to know specifically in this Motion whether we are going to get a hospital built there immediately. We are going to debate the Vote on the Ministry of Health and I have seen in the Estimates that a hospital may be built there; but I would like to know how quickly it is going to be built, because when you have in a district such things as a hospital, a social centre, schools for adults and such business houses as are available in other towns, you can be assured that the town is going to progress. But when you do not have such things, you just cannot know whether that is meant to be a town which will serve the people or whether it is only meant to be a centre for administrators, and that is all.

As I said at the beginning, Mr. Speaker, I realize my responsibility as a representative there. I should encourage the people to start businesses which will lead the Government to help them. This I quite understand, but even though on the part of the Government there are investors coming from overseas and, according to the newspapers today, there are inquiries being made as to what areas of Kenya need development, it is actually the duty of the Government, through the Ministry concerned, to direct these inquiries (to wards developing areas like Homa Bay, as I am saying. It is through that encouragement and direction that these investors and these small factories which, the investors and the overseas people with money who visit our country can set up, can get to help us and to know the people.

Apart from that, Homa Bay is a very good tourist attraction. Next to Homa Bay we have Lambwe Valley with all sorts of animals, and if this area could be developed we could get tourists coming there. A tourist lodge could still be initiated and built in that area. That would go a long way towards helping us develop the town as happily as possible. And worse still, there is no social centre of any kind in the place and you just cannot retire to the town to rest or relax.

If things are at a standstill, as they are now, I feel that this Motion is going to serve its purpose, because it is today that I want to know whether attention is to be paid to the plans which have already been started, or plans which are already in hand but have not been implemented, as regards the building of this town in a prosperous and progressive manner. There are factories that can be started with a little help from the Government and if I am invited to see the Minister concerned with regard to explanations as to how I should go about them, I would appreciate this

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very much. As I have said, all the sugar produced in that area has no place for marketing. For example, if we could get factories to produce white sugar it would help us in providing a place in which we could give employment to the Youth Wing and many of our unemployed people in that area. We have a big Youth Wing problem. It is a disgrace for me to come here and say that I represent Homa Bay, which is a small town, when I know that I am not in a position to help some of our Youth Wing who have to cross the border and go to Mombasa and such other places in order to seek employment. If the Government could, in a small way, initiate some measures whereby some of our people could get employment—even though I do know that it is not possible to always get employment in a small place like Homa Bay—there would be certain opportunities to show the people around there that we are interested in their progress.

I should mention here that we have a lot of sisal in South Nyanza. Some traders are smuggling the sisal out of South Nyanza. A small factory has been started in Homa Bay, which is a baling and brushing factory, but it does not function very well. At one stage the traders wanted to take over this factory but because they could not arrive at satisfactory negotiations to have this factory handed over to them they felt that another factory was necessary. It is difficult to consider how it would be possible to start another factory for baling and brushing purposes, and it is in this particular measure of support that we want the Government to give us directions and to print out to the people through their plans that they are inviting investors and directing them towards this district where we produce, as I have already said, so many groundnuts, so much cotton, so much sugar, so much fish and so much sisal. Because of this it is important that certain investments should be directed to this district. I am saying this, Mr. Speaker, because I appreciate that it is not only every town, apart from bigger towns, such as Nakuru, Nyeri, is terribly dull. This is not the fault of the Kanu Government. I quite understand that. Being a Kanu Member, and a very strong back-bencher, I would like to persuade my Government to help my town move forward as quickly as possible towards progress. This is why I have brought this Motion forward. I do realize that my Government has done quite a lot within only a month. I also realize that the Minister for Commerce and Industry has some plans for me.

Unfortunately I do not know whether somebody will be answerable to me.

Therefore, I would like to suggest what my people in the area would like to see something done for them. I have brought this Motion to show the people in my area, the people that I represent, the people of the district—and this fact is appreciated by all other representatives from that district—that the Government is going to do something about employment, something about hunger, something about lack of money, poverty and so on.

To make matters worse, Mr. Speaker, through the Ministry of Agriculture our people have been encouraged to grow a lot of cassava. They have now grown a sufficient quantity but they are told to grow still more. I understand that there are certain types of machines that can produce starch from cassava thereby helping the people to get a market for what they have grown. If these machines and factories are not introduced in these areas the people will think that whatever they are asked to grow or produce in large quantities will only be allowed to rot and get wasted. What can they do next? If a person is encouraged to grow a lot of maize he tills so many acres from which he gets a large quantity of maize; he then puts this into about six bags and then finds out that he has to sell it locally at about Sh. 18 a bag. The next time he will not be interested in growing so much maize and working hard to produce it. He will think he is wasting his time and efforts. This sort of thing tends to discourage the people and that is why I brought the Motion.

I do realize that I can not be more specific on this point and, at the same time, I realize that it would be very difficult for the Government to drag the people from the South Nyanza reserve and bring them into the towns and get them to have a part to play; the Government can encourage investment towards the smaller towns, and the Government can also negotiate with the local government or the local authorities to help bring about progress in these districts.

I would now like to say a little more about the hospital at Homa Bay. Kisii is very far from Homa Bay, approximately 30 miles, and all the people that fall ill become acutely sick and some people die. Women who have to give birth have no suitable place for this purpose. The Centre that has been built is so small. The money provided in the Estimates—I think it is about £60,000 which is to be utilized for building a

[Mr. Ngala-Abok]

hospital was also in the Estimates last year and the people in this area just do not know when this money is going to be used.

Homa Bay, being in a large district with a large population, such things as a hospital are extremely vital. If we cannot get a better hospital to give health services to the people we just cannot keep quiet about it. I cannot keep quiet on this matter here, nor can I be silent about it with the Government, and then drive around Nairobi city in my car thinking that everything is beautiful and flowery at home. It is not. Therefore, Mr. Speaker, I would like to see a hospital built at Homa Bay as a matter of urgency.

I would like to blame the previous Government a little bit for not having put forward this plan so that the present Government would be in a position to carry on with the plans as quickly as possible. However, if there are any plans that were ready but were not implemented I think our present Government will do so as soon as possible.

With these few remarks, Mr. Speaker, Sir, I beg to move.

Mr. Oyo: Mr. Speaker, Sir, I rise to second the Motion.

The Motion itself actually is straight forward and I hope I shall only have a few points to add to what my hon. colleague has put forward.

In building small towns like Homa Bay in particular, which the Mover has referred to, I think the Department of Information could play a very big part by advertising the new town to the outsiders. Sometimes, when I was abroad I was rather amazed—especially with the office known as the Kenya Office in London—to find that the people there only know something about the City of Nairobi. That is all they are concerned about. I think if we are at all to build these new towns which, of course, we are going to build all over the country, our Information Department will have to give proper advertisements to the people outside Kenya so that they know what opportunities are available in these small towns. Already there is much—I do not say enough, but much—in the City of Nairobi and I do not think it would be right for us only to concentrate on building industries within Nairobi alone and leave out the small towns. These small towns which we now intend to develop are soon going to be important centres for various areas, in particular for the remote areas where people do not get the benefits available in Nairobi. It is here, therefore, that we are directly concerned with building local industries in these small towns.

In this connexion the Ministry for Commerce and Industry should also jointly play a part together with the Minister for Information, Broadcasting and Tourism. Here again, I think our Ministry should do all it can to encourage more local industries to be built in such places and thereby create more employment facilities for the people living there. This will result in enlarging the population within the small towns; hence its growth.

Mr. Speaker, Sir, I think that now that Kenya is moving towards independence we want to build the country in such a way that every part of Kenya is growing and not merely the big centres like Nairobi where we notice all the improvements. We would rather like to see these improvements carried out everywhere so that when one goes to Nyeri, Bungoma, Kisumu, Mombasa, it is evident that all these small towns get more attention. All this time during the Colonial régime we have been dragging behind, but now that we have an African Government, I hope that we shall do all we can to encourage these young towns to grow up.

This particular place I am referring to has, I think, further room for expansion because it is on the shores of Lake Victoria. Because of its position the place caters for more aspects of tourism. If the Ministry concerned could build certain things they would attract the tourists to visit the place. You may find that this is a district town, but yet when you go there you will realize that there is no place where you can lodge; there is no proper grocery shop. All this is due to the fact that this place has not been properly advertised by the Ministry of Information to the business man outside and within Kenya. If all these things could be improved, especially along the lines I have mentioned, I think we could be able to increase employment and earnings of our people around those areas.

As the Motion is straightforward and as the hon. Mover has already clarified the position I will not go further. With these few remarks, Mr. Speaker, I beg to support.

(Question proposed)

Mr. Masinde: Mr. Speaker, Sir, I rise to support the Motion. I think that the present Government should not make the same mistake as the previous Colonial Government did. What we want to see happen in this country is the Minister for Commerce and Industry opening up various towns in various rural areas so that new investors who come to this country are encouraged to invest in the various areas like the one which is now being debated. We know very

[Mr. Masinde]

well that if we want to develop Kenya we cannot concentrate on Nairobi. Nairobi alone is not going to cope with the problem that is facing this country. We have got to improve various towns so that those people in those towns will not have to travel 300 miles to Nairobi to get employment. They will be able to get employment in the various towns they call home. You will find a district like Kakamega has got a population of more than 500,000 and these people do not have a single industry which can employ even 400 people. All these people are expected to come to Nairobi for employment. They do not have land, some of them are poor and could do with a job and they are able enough to be employed in various factories, but all—

Mr. Anyleni: On a point of order, Mr. Speaker, is the Member not going too far astray in referring to Kakamega and other towns. Would it not be better if he waited for an amendment to cover all these towns before he starts talking about all these towns?

The Speaker (Mr. Slade): For all I know he might be working up to proposing an amendment himself, and in this case he would be quite in order. It is quite true that this Motion refers only to Homa Bay, but in a case like this it would be in order for an hon. Member to say that Homa Bay is not the only place, and really a Motion like this should cover a bit more and I propose an amendment to that effect. I think if that is your line of thought, Mr. Masinde, you should propose an amendment, but you should not refer too much to other places. The only place you can refer to in detail is Homa Bay.

Mr. Masinde: Mr. Speaker, Sir, I think we have permission of the hon. Mover to speak generally. What I want to say is that I want to speak about places that I know very well, I do not know the population of Homa Bay district and it would therefore be wrong to refer to it. I call upon the Government to look at various districts and see that they are given industries so that the people of those areas can get employment in their own towns.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I do not want to talk at length on this Motion, but it appears that there is the feeling that the Motion ought to be amended to include other places. I would, therefore, like to start off by proposing an amendment:—

"That we leave out all words after the words 'Homa Bay' and insert in place thereof the

words, "and in other small towns, thereby encouraging employment and general development in all parts of the country".

In the absence of the Minister for Commerce and Industry, who, I understand, is performing another duty and he did not think that we would get this Motion so early, I would like to make a few comments on what has been said.

The first important thing to remember is that all the Government can do is to encourage business to come into the country, to encourage it to go to certain areas, but you cannot force people to set up businesses where they do not want to set them up. It is interesting that the Mover himself has told us that in his area you can grow sugar, cotton, there are plenty of fish and groundnuts and sisal. I think you will find that the best way of attracting commerce in this area is for the local people to work a little harder to produce more of these things and then traders will be encouraged to come and buy them. One forgets that Nairobi—once sees this when one reads the early history of the country—was just a stopping place when they were making the railway. It has grown gradually. I remember as a small boy when Government Road was being tar-maced, there was not very much of a town, there was only one big road from the station to the Khojo mosque. These things take time and that is why I am proposing that we should do our very best to encourage business to move to the small towns; you cannot direct it. Other towns have grown fairly quickly. I can recall an example, and that is Embu. It is as a result of the people in this town growing certain crops, on a large scale, that attract traders, and the town has grown very fast indeed. If the local people produce more and more and the Government comes forward and helps the farmer with small loans, I am quite sure, in time, towns like Homa Bay will develop very quickly.

I will bring up the point that was touched upon on the question of tourism. I have heard myself—though I myself have never been to Homa Bay—that Homa Bay is quite a tourist attraction. I was at a meeting some time back when some discussions did take place on how best this area could be developed in order to attract industries. I can assure the Mover that I will do my best to bring this matter to the attention of the Minister for Tourism.

When a town is as small as Homa Bay no one would expect very many amenities, and therefore again all one can do is sympathize with the local people that they have not some of the social amenities that usually go with a big town.

[The Minister for Finance and Economic Planning]

On the question of a hospital, I know there are discussions taking place, and I believe there is a definite plan to include in the next development period the erection of a hospital at Homa Bay. That, I am positive about.

On as to what plans the Minister for Commerce and Industry has in order to attract business into this area, I am afraid I cannot say very much. I doubt whether he has planned to encourage people to go there. It is not so much the Minister attracting business people there, it is the other way round, it is the producers in that area who will attract business there. If a man wishes to put up a cotton ginnery, he will go to an area where cotton is grown to install his ginnery.

Mr. Speaker, Sir, I feel if the hon. Mover will tell the local people that instead of—as he put it himself—crossing the Regional boundaries and travelling all the way to Mombasa to look for work they should do a little more work at home and encourage the production of these crops, he would be doing his people a great service. I can assure him that the Minister will do everything he can to license people to come and start business in that area. This is the only way that businesses can develop in an area like Homa Bay.

With these few words, Mr. Speaker, Sir, I beg to move the amendment.

Mr. Anyleni: Mr. Speaker, Sir, I beg to second the amendment.

Mr. Speaker, Sir, I hope the Mover will agree with me, and I think when he first spoke he indicated that he would accept an amendment. We are almost addressing an empty House because the Motion was so parochial. Now that my hon. Minister has amended the Motion he has shown the way to look at the whole country to see what can be done in the small towns. On this respect I am sure that nearly every Member wants to speak about his small district. I am not going to speak about Malindi—as the Leader of the Opposition will most likely talk about it—because I do not know enough about it. Mr. Speaker, Sir, I would however, like to talk about my own district, and in this I am not trying to tell the House to do this or that, but I am sure every Member in the House would like things to be done in his own district.

Mr. Speaker, Sir, there has been a tendency in the past that when a Minister has gone overseas to try to encourage capital to come to this country, he always has places like Nairobi, Mombasa and Kisumu in his mind. I would like

to say that it is unfortunate that the hon. Minister for Commerce and Industry is not here and it is also unfortunate that his Parliamentary Secretary is not here either. Therefore, neither of them can take this down to help them to give us replies.

Mr. Speaker, Sir, it is a well-known fact that Kisii is one of the most productive districts in Kenya and because it is productive coffee is grown there, as well as tea and pyrethrum, also other crops which we cannot export.

However, Mr. Speaker, Sir, although the Kisii District produces a lot of tea, a lot of coffee, a lot of pyrethrum, I have not seen any factory set up there to help to process these crops, and as a result you will find that people in the district are working very hard in the *shamba* but have hardly any return for all their labour. All factories are in Nairobi and when there is a job in Nairobi it is hardly advertised. Word is sent round through whispers and in this way people get jobs. This is going to mean that in some areas which are remote, people can not go out to get jobs, and they will find it very difficult to make a living.

Mr. Speaker, Sir, Kisii could be developed. I know we have got a waterfall, a very important waterfall, called Nyakwana Waterfalls. If my hon. Minister was here I would urge him that when next he thinks about industries in these areas, Homa Bay and others, he suggests that we have electricity in these areas, having the waterfall to make this possible. Before I finish, I am sure that every Member will support me. I wish to say that we cannot have a concentration of industry in the big cities only. I will be very glad if my hon. Minister will reply and will be able to assure this House, that next time someone has got money to bring in to this country the small towns will be thought of instead of the big cities. With those few remarks I wish to support the amendment.

(Question of the first part of the Amendment that the words proposed to be left out, be left out, proposed)

The Speaker (Mr. Slade): Debate on this amendment cannot conveniently be separated from the Debate on the whole Motion. Hon. Members may speak on the whole.

Mr. Ngaisi Mr. Speaker, Sir, I would like to support the amendment by the hon. Minister for Finance but I would like to make three points. First, I think that Homa Bay is not a suitable place for the development that the Mover has in mind. Homa Bay is a very small place which

[Mr. Ngala] has only one school, African District Council Office and a District Commissioner's Camp. Such a place cannot support the industry that the hon. Member has in mind. You might get a place, perhaps a bigger town than Homa Bay, and I suggest to hon. Member comes out of his district to look around for better places, where the encouragement of industry can help the whole district of South Nyanza. I believe Homa Bay is quite the wrong place.

The other point Mr. Speaker, Sir, is this. I think the Government is just playing on words even in bringing forward this Motion. I think if the Government is serious—

The Speaker (Mr. Slade): It is not a Government Motion.

Mr. Ngala: I beg your pardon Sir, I think this Motion could only be useful if three points were considered. First; Sir, development of power. Now, I think it is useless, as the Minister very well knows, to think in terms of industrial development, unless this country considers making power much cheaper than it is now, because all the industrialists go bankrupt because of the expense on the power used in developing other things.

I would like to know from the Government, particularly from the Minister who has moved the amendment, whether any steps will be taken to reduce the expenditure, the cost of power, to make it easier for such small towns as already mentioned by some of the Members, to develop on a cheaper rate.

The other point Sir, is the marketing system. It is no use the Minister getting up and saying the people around Homa Bay should be more active and grow millet if they have not got anywhere to sell the millet, or no marketing system arranged by the Government, what will they do with the millet except drinking it in a form of porridge? I would like to know whether the porridge is good for the Minister not for anybody else. I would like to know whether there is an economic plan for each district, such as South Nyanza. Looking at it, what small project can be encouraged there, accompanied with a marketing system to encourage the growers? Growing is one thing but marketing it is a very important thing. I think the Minister for Agriculture will bear me out on this.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Hear, hear, for the first time!

Mr. Ngala: I would like to know exactly if the Minister is encouraging development around Homa Bay and what marketing arrangements are being made for that district or any other district or township which is interested in developing.

The third point to which I would like a reply is: one of the Government Members has complained that the Government is doing nothing to see that they reach a larger scale of processing of whatever people in their area grow and harvest. This is a very important complaint from the Government and I would like very strongly to support this complaint, because the Government should make it quite clear that they have a way in which they can encourage the producers to process. They should also make laws to prohibit the importation of, for example, tinned goods which are already produced in Kenya and there is no need to import these. We even see some of such imported tinned goods from South Africa while they can be produced in our own country. The Government is just sitting there and does not see what is happening in the country.

Firstly, I would like to get a reply, if I may, on the point of power being reduced in price by Government, which would be a definite determination to help the small industries and the growth of industry in the small townships.

Secondly, the marketing system which would be helpful to people in Homa Bay or any other district, so that they can get a marketing place for their products.

The Minister has implied that the Homa Bay people live in their homes and are going to Mombasa. They cannot help doing that, because there is more development there, more progress and naturally they go to Mombasa and look for employment. This is where the Government should plan for development around Homa Bay so that these people do not have to go to Mombasa to find a living. This is where the Minister fails, and we shall show the Government what we can do immediately after certain steps have been taken by the regional government.

Thirdly: Sir I would like to know whether the Minister is going to encourage processing of local goods and whether he will be prohibiting the importation of tinned or other goods which can be produced in Kenya, as to encourage the people more and more.

Mr. J. M. Kariki: Mr. Speaker, Sir, I do not want to repeat what has already been said, but there are a few remarks that I want to make. We do not intend to encourage commercial industries in places where we cannot grow anything. There is no use in having an industry in places

[Mr. J. M. Kariki] like Lodwar. I think the most important thing to be noted by the Ministry is the potentiality of a place and what is grown there. If an area grows produce like tomatoes, and vegetables of various kinds, that area should be concentrated upon without worrying whether the place is very small. What we want to do is to expand the production and also the industries in this country. A factory by itself can expand and make a town. If a factory is built in a place where there is no town, after a few years you will find in that area houses and shops for the people who are employed in that factory.

I would like to draw the attention of the Minister concerned that the important thing is the place where the crops are grown and not necessarily the town itself. We cannot rely on expansion of the towns only. What we also want to expand is the crops and mineral resources.

We have to stimulate employment by encouraging the setting up of factories all over the country. We grow barley in the Rift Valley and some parts of the Central Region. If a factory is set up there many people would be employed, and later shops would be built in the area to serve the factory workers. It would also be a tourist attraction for the visitors would like to see the development there.

With these few remarks I beg to support this amendment.

Mr. Cheptik: Mr. Speaker, Sir, I would like to support the amendment that we should consider the new districts when encouraging development, especially Busia. In Busia we grow cotton and have gineries, but I think the Government should consider installing factories there for manufacture instead of sending raw materials overseas.

I hope that we will put up another factory in Busia district so that this district can expand rapidly.

The Leader of the Opposition should know that when we get things from his area, which have been originally grown in Busia area and then sent to the Coast for manufacture, we buy the things which we have grown in our area at a very high price.

In Kitale, in Trans Nzoia, tea is grown and therefore there should be factories to deal with it. At the moment, tea has to be taken fifteen or twenty miles from where it is grown to the factories.

The Leader of the Opposition should know that we can produce more things in our area than he can produce in his kingdom.

I should also like to ask the Government to open a blanket factory like the one at Nakuru, in Mount Elgon.

We have a right to ask for factories in the areas which produce the raw materials.

I hope the Government will consider this point of setting up factories and industries in order to help development in places like Busia.

The Speaker (Mr. Slade): Point of Order.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I would like to ask whether Members are allowed to go to sleep in the Chamber.

The Speaker (Mr. Slade): Yes, it is allowed, though it is not in order for strangers to sleep in the Gallery. If an hon. Member snores that is an interruption, and will be stopped if it is too loud.

Mr. Odoro-Sari: Mr. Speaker, Sir, I am standing to support the Motion as amended. When a town is built it must have aims and objectives. These are to give close administration to the people and to serve people, socially, educationally and agriculturally.

Small towns are not only those like Homa Bay, Busia, and there are also small towns which are not called towns, they are called divisional centres, like Ukwala.

Mr. Speaker, Sir, in my division the population is over 200,000 people.

The Speaker (Mr. Slade): Point of Order.

An Hon. Member: Is the hon. Member supposed to waste time in reading?

The Speaker (Mr. Slade): I would not say that it was a waste of time. Actually, it seems to me that the hon. Member is only referring to notes, and that is in order.

Mr. Odoro-Sari: My area is a productive area where a lot of cotton is grown and is suitable for wool. I am trying to get the Minister for Agriculture to help to plan a scheme for development in this area.

Mr. Speaker, Sir, in my division, Ukwala, people are leaving the country and going to bigger towns like Nairobi. Even today in the town here there are very many people from my area roaming about looking for work, and it is because the former Government or the Colonial Government did not worry about building industries in areas which are densely populated. Today, because we are in the Government, I am asking the Government concerned to think deeply about this. It is a very serious situation.

[Mr. Odoro-Sir]

People have no land, particularly in the division from which I come. There are many young men of the youth wings, and the rest, who do nothing there because they do not have anywhere to get work. When they go to the town they are expelled or told by some of the police or people like that to go back to their homes. When they go home the local administrators there try to arrest them because they have not paid poll tax. This is very serious, Mr. Speaker.

The question of having industry in the areas concerned must be dealt with very quickly, otherwise the situation is going to be very bad. I am not against the Mover saying that Homa Bay should be developed. That is all right because it is a new town where people are looking for help. They thought when that town was being built that they were going to get employment and social services, but now because the Government is not speeding it up they are worried about what is taking place.

Mr. Speaker, Sir, I do not have much to say about this, but I have stood to support the Motion as amended.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, there are one or two points to which I would like to reply, which Members have mentioned this afternoon, and then I would like to speak on this problem generally.

First of all, Sir, I gather that the hon. Member for Kilifi did raise a matter about power at Seven Forks and power coming from Uganda. Mr. Speaker, Sir, it is the intention of Government to go ahead with the Seven Forks scheme just as soon as it is humanly possible for us to do so as a Government, bearing in mind that we have to cover—

Mr. Nyalu: On a point of information, Sir, I did not refer to any power from Uganda.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I am not talking about Uganda. Mr. Speaker, Sir, I am talking about Seven Forks which, if the hon. Member does not know, is one of the largest rivers flowing from Kenya into the Indian Ocean, and it flows through his own area.

Mr. Speaker, it is also our intention as a Government to look into the possibilities of hydro-electric power being made from other rivers in Kenya. In other words, it is our contention that we need to get experts to look at the availability of cheap power being operated in areas from rivers, but I would like to warn

people that one of the great difficulties in Kenya over this matter is that a lot of our rivers are what are known as tapering rivers: in other words, at certain times of the year they flow very strongly and other times of the year they flow very weakly and the storage of this type of river is very, very expensive indeed because of the silt factor.

The same hon. Member also mentioned marketing co-operatives. I would like to tell him a very interesting tale about marketing boards and marketing co-operatives. Only the other day I had a delegation come to me from Embu-Meru asking me if I would set into motion as soon as possible a marketing board for that area. They had come to the conclusion that free enterprise in trade was not beneficial for the producer and that they wanted their own marketing co-operative or their own marketing board, and they were tired of the middle man who bought their produce at a low price and sold it at a high price. Mr. Speaker, this is a very great change of attitude on the part of many producers because when the producers are producing beans, for instance, and beans are in short supply they do not like supporting their co-operatives or their marketing boards and they go into the market and get a higher price. This is the aspect which weakens the co-operatives and the marketing boards. So for the information of the hon. Member it is our intention as a Government to go ahead with marketing boards and marketing co-operatives and to strengthen very heavily the penalty for black market operating against co-operatives and marketing boards.

Also, Mr. Speaker, there is the question, which was raised by the same hon. Member, about processing of local goods. This is a problem which I would like to cover at the end because one of two other people also raised this point.

He also raised the point that many people from up-country were going to Mombasa instead of staying in their own area and starting up industries. There are a number of reasons why we up-country people like going to Mombasa and I wonder if I could give one or two of the reasons. First of all, we are told that there is a great big sea there, much bigger than the sea we are used to at Lake Victoria, so we go down to see that. Another reason, Mr. Speaker, is that we are told that the girls at the coast and in Mombasa are really good looking, and we want to go and look for ourselves. It is for no other reason that we go to Mombasa; it is the reason of pleasure and the reason of having a look at a different part of our country.

[The Minister for Agriculture and Animal Husbandry]

Mr. Speaker, the hon. Members for Winam and Majoje-Bassi said that industries must be sited at the proper place and not necessarily by towns. It was obvious to me that the hon. Members represent an area which does not have a town. Whereas it is difficult when you represent an area which does not have a town, they are in fact absolutely correct in saying that if we are going to site these agricultural industries, especially canning industries, then it is necessary that we put them up at the site of the produce. Perhaps they might like to know that we are negotiating as a Government at this very minute to put up a pilot factory in the area for drying vegetables and fruit, et cetera, and I hope that this pilot factory will be operating in the very near future.

They also went on to other matters and repeated this again about factories, and again I would like to talk about factories in general at the end.

If I may, Mr. Speaker, I would now move on to answer some of the questions which were asked by the hon. Member, Mr. Cheppikit, the National Member. He did mention that we grow a lot of cotton in Kenya and we export the cotton, the goods come back again and are charged an import duty by my colleague, the Minister for Finance and Economic Planning, and then the people have to pay more money. I think that he would like to know, Mr. Speaker, that my colleague, the Minister for Commerce and Industry, is at the moment negotiating with a very well-known overseas company to put up a textile plant in this country which will use our own cotton. I must say that the negotiations which he is carrying on are completely different from the negotiations which were carried on by the Coalition Government and the Kadu Government before the Coalition Government. The difference is that we are determined in a very short while to come to a conclusion of the negotiations and to go ahead with the factory. The previous Governments seemed to continue to negotiate, but up to now we have not seen any of their factories.

The hon. Member also raised the aspect of tea, coffee and pyrethrum factories at Kitale. I would also like to tell him that we are, in the very near future, going ahead with a tea factory up in that area as Government, but I would like to explain to him that as far as coffee is concerned, with our coffee supply in Kenya we can only fulfil the necessary throughput for one large factory and this factory is already in being in

Nairobi. As for pyrethrum, we are in a pitiful position as far as pyrethrum is concerned, in that we have three factories in Kenya—two in Nakuru, one in Nairobi—two of which are lying idle for the simple reason that we cannot sell in the overseas markets our pyrethrum at the moment. In other words, we are over-produced and we are holding a stockpile very nearly up to the amount of a year's consumption in the whole of the world. This is the reason why we cannot put up a pyrethrum factory in Kitale. Anyway, even if all our factories were operating, Mr. Speaker, we could not afford to put up a million-pound factory, and that is what a really good pyrethrum factory can cost, in the Kitale area, because although it grows pyrethrum it is not really in the centre of the pyrethrum-growing area.

What I would also like to explain to him is this. He mentioned the matter that they have plenty of sheep up there and the wool could be used in the blanket factory in Elgon. In a blanket which he buys in the *Zika* today there is very, very little wool at all. Blankets today are made from all the scrap material coming out of textile factories, and pieces that sew shirts, dresses, garments, as well as bits and pieces of old bags and any rags that can be found: old socks, old clothes, old anything. So, Sir, a blanket factory up at Mount Elgon would be completely out of the question.

The people who come in from overseas with the amount of money that is needed to put up these great factories always want to know three or four things. One is they want to know where power is available, where water is available, where good labour is available, where there is easy communication where there is easy distribution. I am sure that if one had a blanket factory stuck up on Mount Elgon you would not be able to cover any of those aspects. Therefore, it is the wrong place.

Now I come to the general points, Mr. Speaker. I do not see any reason why in all this problem the matter should not start with self-help of the people in an area, or in a town, or in a district; and they will only get anywhere in developing if they start moving by their own efforts. It is no good, Mr. Speaker, people standing up in this House saying why does Government not do this and why does Government not do that. They will get much further if they can come to the Minister concerned and say we are a group of people who represent such and such an area; we can obtain much finance; we want to put up such and such a small business in our area; this is the reason why we can put it up; these are the raw materials we have got; and we would like technical advice

[The Minister for Agriculture and Animal Husbandry] and a certain amount of financial advice from Government. That is why, Mr. Speaker, it has been agreed by Government that all these various ideas should be amalgamated within the districts and within the regions and come forward to Central Government as ideas, as projects. If any of the hon. Members who have spoken in the debate today really want to get organized in their area then I advise very, very strongly that they must start with self-help and their own efforts in their own areas. If they then come to Ministers they will get a far better and far more sympathetic hearing and Ministers then will be obliged to follow up the ideas and the reasons which have been put to them.

Now, Sir, one hon. Member did mention that the coastal people were very lazy. I want just to touch on this point for a minute. I think I have one minute left.

The Speaker (Mr. Slade): Half a minute.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, it is perfectly true that we have certain people of certain areas who are not as energetic as other people and we do run into trouble in certain areas where they grow a very good crop but they do not pick that crop. We have had cases, and the coast is one, where they grew a very good cotton crop about four years ago and they did not pick all the cotton crop. The price, Mr. Speaker, was a good price that year. In fact the price was good and the cotton was plenty and that is why they were too lazy to pick the whole crop.

Mr. Speaker, I beg to support the amendment.

(Question of the first part of the amendment that the words proposed to be left out be left out put and carried)

(Question of the second part of the amendment that the words to be inserted be inserted proposed)

(Question of the second part of the amendment that the words proposed to be inserted be inserted put and carried)

(Question of the Motion, as amended, proposed)

Mr. Ngala-Abok: Mr. Speaker, Sir, I think I will have to support the Motion as amended and to accept the amendment, because I wanted to give an opportunity to some of my colleagues on this side and some of the Members on the opposite to take part in the debate. I wanted some specific reply from our Government to certain

points that I raised, which, I should say, have not been really well answered. I expected something to come from the Minister of Commerce and Industry, but the Minister for Finance and Economic Planning has attempted to go so far but not far enough to satisfy me. I only want to encourage my Government to do what is possible within the resources we have.

Mr. Speaker, Sir, there is the situation at the moment in South Nyanza which forced me to bring a Motion of this sort. We produce a lot of things, one of which is maize. There is an Ordinance—I think by the Nyanza Marketing Board—which prevents people from going to Kisumu with maize from South Nyanza. If one is found with maize in Kisumu and it is known that he has come with that maize from South Nyanza one would get arrested, molested and mistreated. I do not know how this Ordinance was made, but as soon as they revoke this Ordinance the better. That probably has nothing to do with our Central Government, but this is a question that a representative like myself must raise. When we grow maize we feel that when we have got one bag out of what we have grown we should get as much as possible out of this one bag. We want to send it to any place where we can get money for it. We do not just want to move around with it in a local place where people have no money, and where you cannot get even Sh. 5 for one bag of maize. This bag of maize takes one great treat to get it. If we can go to a place and sell it for about Sh. 45, or at a reasonable price, I do not see why we cannot sell it in places like this.

The Speaker (Mr. Slade): I am not sure whether this is relevant.

Mr. Ngala-Abok: It may not be relevant, Mr. Speaker, but if we get encouragement on how we can get these products marketed, and if we get some means for marketing what we have produced we shall be able to live satisfactorily. If we install factories that can help the local people to get a good price and good development it would be helpful.

Mr. Speaker, Sir, in parts of South Nyanza we have areas which are very dry, like Kanjara, Kochia and Karachuonyo and along the lake and so on. Irrigation schemes should be introduced in these places as a means of making the land more fertile and then creating employment. This Motion was brought forward to encourage employment in Homa Bay because Homa Bay is the capital of that area and if you build industries there it will be source of bringing as many people as

(The Debate continues)

[Mr. Ngala-Abok]

possible into the town and improving the district in a general way. Most of the things that come from the district, whatever is grown such as vegetables, usually then go to the town. It is in the town where you have various commercial improvements, but in this particular case it is a dry place. For this reason, we have to bring a Motion like this into this House.

The Minister for Agriculture just now outlined certain plans with regard to Kilale and other areas, but he made no satisfactory comment about Homa Bay. I said that we were producing fish and sugar, a lot of cotton and I mentioned many other cash crops that we produce, and I would like the Government to put up small factories—I am not out for a big thing like those in Nairobi but only something that would enable us to employ 200 people at a time. Already we have got a small sisal factory there and a small ginny, but what we are producing is quite a lot. It is up to the Government to survey districts and to find out how they can distribute wealth all over the country. The country wants to benefit throughout, not just a small area. As I said before, it is not the fault of my Government, but at the same time I am free to express the grievances that my people feel. I want to ask the Ministers to make statements on certain points, like on the ones I have just raised. I do not want to blame any particular Minister but at the same time I want to place on record the fact that development in my area is lagging behind. When we are developing this country we should pay attention to districts other than Nairobi.

Tomorrow we shall probably be getting the means to erect a domestic science training school, and some other schools. You will probably hear that these schools are being erected somewhere near Kisumu, which is a fairly well-developed place, although it does not have everything, instead of having it near a smaller centre to attract the people. This is why, Mr. Speaker, I brought the Motion: I want to encourage commercial development and all forms of industrial development, manufacturing development or more power installations to make these factories operate. Power that can actually be used from the rivers we have in South Nyanza. We should have plans to survey the district and to find out what will benefit the local people. We cannot be expected to just know all these plans. In fact, it would take us a long time if we had to go from Ministry to Ministry to try and find out what each Minister plans to do for us and our people. In a Motion like this Ministers can make statements which can be very, very helpful to the people outside.

because, in fact, this Government wants to keep people informed. It is not enough for the people to know what the Government is doing for the district. We tell the House and the Government is responsible for channelling information to the people.

I do not think I have much to say but I would have been much happier if I had heard that there was going to be a fish processing industry in the district, and encouragement by the Government in forming co-operative societies.

(The question of the Motion, as amended was put and carried)

Resolved accordingly:—

THAT this House calls upon the Government to take urgent steps to stimulate and assist industrial and commercial enterprise at Homa Bay and any other small towns thereby encouraging employment and general development in all parts of the country.

MOTION

REVIEW OF CONSTITUENCY NAMES

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Otogo): Mr. Speaker, Sir, I beg to move:—

THAT this House is of the opinion that the names given to the present constituencies should be reviewed for the purpose of making suitable changes therein.

I do not think that this Motion will take long as it is self-explanatory. Now I know some of the Members of this House will support this Motion because the names of the constituencies now being used are not representative. In saying this I am talking for the constituency that I represent now. My constituency is called Ruwamba, a name which has never been spelt correctly either in this House or in the Press. It is the home name of a former Member of this House. The people I represent think that the name Samia-Bunyala, as it was called after the announcement of the Constituency Boundary Commission Report was very representative. The people of my constituency have therefore asked me to move this Motion in the House.

The Member for Elgon South-West will agree with me, as his constituency is not even in Elgon District now, and should be given another name.

Another one is Elgon West which is not representative.

I am sure this Motion will receive sympathy from both sides of the House. I beg to move the Motion.

Mr. Makokha: Mr. Speaker, Sir, I beg to second the Motion. The people we represent should be able to know what is going on in this House. Names of constituencies are part of the workings of this House and our people should be able to understand the names. My constituency is known as Elgon South-West, and it means completely nothing to the people I represent. It should be known as Marach-Bukhayo.

I have spoken to other Members who agree with me in this. The Minister for Education is supposed to be the Member for Vihiga, this is just a small village. This should be Maragoli.

Another example is Mumias, which should be known as Wanga.

This Motion is self-explanatory and with these few remarks I second the Motion.

(Question proposed)

ADJOURNMENT

The Speaker (Mr. Slade): It is now time for the interruption of business. The House is now adjourned until tomorrow, Friday, 12th July, 1963, at 9 a.m.

The House rose at thirty minutes past six o'clock.

Friday, 12th July, 1963

The House met at Nine o'clock.

(The Speaker (Mr. Slade) in the Chair)

PRAYERS

ORAL ANSWER TO QUESTION

Question No. 31

TEACHERS' PROVIDENT FUND: CONTRIBUTIONS

Mr. Malinda asked the Minister for Education: If the Minister would inform this House if there were teachers in any districts who had not yet been paid their Provident Fund contributions as was agreed last year between the Kenya Government and the Kenya National Union of Teachers?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I beg to reply as follows:—

By Friday, 5th July, 1963, 9,980 teachers had been paid the first instalment of the refund of their Pensions Fund contributions out of an estimated total number of 13,750 teachers due to receive refunds.

It is not, at the moment, possible to give an accurate number of teachers to whom refunds are due as the option forms, by which teachers indicate whether they wish to withdraw their benefit or not, are still being received.

However, the bulk of teachers in twenty-eight of the thirty-six districts have already received the first instalment.

That the repayments of contributions have been made with the speed at which they have been made is due to the efforts of the Pensions Office staff, who have worked until six o'clock every week-day and on Saturday afternoons since the end of April, a total of 10½ hours overtime each week.

Mr. Malinda: Mr. Speaker, Sir, arising out of that reply, I did not get the number of districts in which teachers have not yet been paid their Provident Fund. In addition, how soon does the Minister expect to have the remaining teachers paid their Provident Fund?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, as regards the districts in which teachers have not been paid, we expect to finish these by the middle of August.

An hon. Member: Mr. Speaker, could the Minister tell the House why these teachers were paid by instalments?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I cannot answer that. That was the decision taken by the previous Government.

Mr. Margot: Mr. Speaker, Sir, could the hon. Minister tell us which are these eight districts?

The Minister for Education (Mr. Otieno): I am sure that the hon. Member will be glad to hear that one of these districts, where the teachers have not yet received payment, is his own district.

The districts are Kinumu Municipality, if it can be counted as a district, South Nyanza, Kisii, Elgeyo-Marakwet, West Pokot, Trans Nzoia, Nyeri and the Baringo District.

Mr. Ndile: Mr. Speaker, Sir, could the Minister tell us whether these Provident Fund contributions include the share the Government contributes towards the Provident Fund, and if it has been paid regularly to the teachers?

The Minister for Education (Mr. Otieno): The answer is yes, Sir.

Mr. Khasakhala: Mr. Speaker, Sir, could the Minister tell the House how the position will be faced in cases of pension fund on district level other than paying teachers as teachers of this country?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, the procedure was that those districts which brought in their forms first were served first. First come, first served.

Mr. Khasakhala: Could he tell us what he means by the words "first instalment"?

The Minister for Education (Mr. Otieno): If the hon. Member would consult his dictionary he would know. An instalment is a part payment.

Mr. Khasakhala: Why has he not made full payments instead of by instalments?

Mr. arap Moi: Arising from the Minister's reply, would the Minister tell the House when the second instalment is to be made?

The Minister for Education (Mr. Otieno): Mr. Speaker, Sir, I think that is a different question. However, the question should be addressed to the Minister for Finance rather than to me.

Mr. Malinda: Mr. Speaker, Sir, would the Minister state whether or not there was an optional period during which the forms should have been received back by his Ministry?

The Minister for Education (Mr. Otieno): Yes, Sir, but due to delay we have allowed them to bring those forms any time. Some are still being received now.

Mr. Murgor: Arising from a previous reply from the Minister, is the Minister implying that this was the arrangement of the past Government? Can he tell us what his Government is now doing to make this speedy payment?

The Minister for Education (Mr. Otiende): As I have said, my Government is trying to speed up the payment. Payment was originally arranged to go on to the end of the year, but I have already assured the hon. Members it will be finished by the end of August. Then we shall think of the second instalment.

The Speaker (Mr. Slade): I think that is enough on that question.

NOTICE OF MOTION OF THE ADJOURNMENT

AFRICANIZATION OF CIVIL SERVICE

I have to inform hon. Members that I have received notice from Mr. Pandya of his desire to raise on an Adjournment a matter arising out of replies yesterday to Question No. 17 and supplementary questions, which was the meaning of Kenyanization in relation to the Civil Service. I have allotted Tuesday next week, that is 16th July, at the close of business for that matter to be raised.

BILLS

Second Readings

THE BORSTAL INSTITUTIONS BILL

(Resumption of debate interrupted on 10th July, 1963)

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, last time I was telling the House about the licence given to a youthful offender.

Mr. Speaker, Sir, the licence given to a youthful offender must not be confused with the old prison licences who are on licence under Police supervision and required to report to them. The Borstal inmate is not under Police supervision but under the supervision of a specially selected person such as a probation officer or social worker whose one and only object is to assist, advise and guide the youth to take his place in society as a decent and law-abiding citizen. The conditions of licence are framed to ensure the successful rehabilitation of the youth and require the inmate to remain under the supervision and care of a named person. The licence is valid from the date the inmate leaves the Borstal until the date of his three years' period of Borstal training, ordered by the Court, expires. If, after he has been released,

an inmate fails to comply with the conditions on which he has been released, or has misbehaved, this is reported to the Commissioner who may revoke the inmate's licence and recall him to undergo further training in the Borstal institution. An inmate who has been recalled may be required to be detained until the expiration of three years from the date of his Borstal sentence, but usually four or five months is sufficient reminder to ensure the youth's good behaviour for the future.

Mr. Speaker, Sir, whilst on the subject of licences, it is pertinent to draw your attention to Part VII, Section 29, in regard to supervision after expiration of detention and to know the reasons it is required. I have already explained that every inmate released from a Borstal before the expiration of his three-year period of detention is placed on licence for the unexpired portion of his three years' detention. This means that the boy who is released on licence after undergoing licence for a period of twelve months or more. Conversely, in the case of the boy who has been slow at responding to his Borstal training and whom it has been necessary to keep under training in the Borstal for a period in excess of two years, the unexpired portion of his period of detention will be under twelve months and his period on licence is limited accordingly. In such cases section 29 provides that the licence is extended to ensure that the youth who has required a longer period of training is, in his own interests kept under supervision for a full year.

Mr. Speaker, Sir, in passing, I have had occasion to mention the Board of Visitors and After-care Committee, and so I had better explain something about their composition and why they are necessary.

It is proposed that the Board shall consist of at least ten responsible citizens who are interested in assisting the Superintendent and his staff in the proper management of the Institution and the welfare of Borstal inmates rather like the Board of Governors of a private school, but who will be required to undertake the statutory duties laid down in Part V of the Bill. The Chairman of the Board will be my Permanent Secretary, and it is hoped that other interested persons, particularly those interested in juvenile delinquency, will get in touch with the Ministry so that we can invite them to serve on the Board.

The After-care Committee is appointed from among members of the Board of Visitors.

I am afraid I must now touch on a controversial issue by touching briefly on one of the punishments that may be awarded to an inmate as provided for in Part VIII of the Bill, and that is

[The Parliamentary Secretary for Home Affairs]

corporal punishment. Mr. Speaker, Sir, firstly, I must point out that this award can be made only by the Commissioner of Prisons and the maximum award is ten strokes with a light cane. There is no need for me to emphasize that it would only be in the cases of the most grave offences that the Commissioner would be invited to adjudicate. The normal maintenance of good order and discipline in the Institution would be dealt with by the Superintendent or the Principal Borstal Officer. I am sure you will accept, therefore, that, where the Commissioner does award corporal punishment, it will only be in cases where it is fully deserved, and where the alternative punishments he may award are inadequate. I am well aware that there exists a section of people who consider that an award of corporal punishment in itself is wrong and can never be justified, but I am afraid that although I respect their views, I am unable to subscribe to them. Mr. Speaker, Sir, certainly I accept that the indiscriminate use of this type of punishment is wrong, but I believe there are times and offences for which it is the most suitable punishment. Let us not be sentimental; how many parents can in all honesty say that their children, or threatened to do so? For do not forget that the inclusion of a caning gives the threat of punishment which, in itself, may make the use of it unnecessary. Take this away and you not only remove the punishment but the threat of it. Consider also for a moment that without corporal punishment, the only suitable alternative for certain offences would be to send the inmate to prison. Is it right that we should do a youth to a period of imprisonment because we shy away from inflicting a little pain and discomfort to his posterior, and yet by inflicting the pain we might well keep him permanently out of the corrupting influence of prison? After all most of our world's best schools use the cane, why should our Borstal not be classed with the best schools?

Despite the fact that the greatest care will be taken in the selection of youthful offenders before they are sentenced to Borstal detention, it is found that there will be occasions when it will be found that an inmate of a Borstal is of such a character, or is so badly behaved, that his continued presence at Borstal is undesirable. In these circumstances the Commissioner may, in accordance with Part IX of the Bill, bring such an inmate before the court who may sentence him to a term of imprisonment not exceeding three years; any such period of imprisonment will be deemed to start from the date of the original Borstal sentence.

Mr. Speaker, Sir, I have dealt with this Bill at some length and in some detail. I am grateful for the patience with which I have been heard. I think that this patience is indicative of the fact that the hon. Members of the House feel, as I do, that this is a very important piece of legislation and a necessary one.

Mr. Speaker, Sir, I move accordingly.

The Parliamentary Secretary for Labour and Social Services (Mr. Odoro-Jowi) seconded.

(Question proposed)

(The question was put and carried)

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

THE ESSENTIAL SERVICES BILL

The Parliamentary Secretary for Labour and Social Services (Mr. Odoro-Jowi): Mr. Speaker, Sir, on behalf of the Minister for Labour and Social Services, I beg to move that the Essential Services Bill be now read a Second Time.

Since 1950, when the Essential Services (Arbitration) Ordinance was enacted, our labour legislation has treated trade disputes in Essential Services in a special way, with quite separate arrangements for their settlement. This law has prohibited strike action in Essential Services unless a trade dispute has first been reported to my Ministry by one of the parties, and unless those special arrangements for conciliation and arbitration have been exhausted.

Prosecution of offenders under this type of law has been very difficult, and the law has often been flouted. The prosecution had to prove many ingredients in a charge. It has been particularly difficult to prove that the whole of a dispute was, in fact, settled within the statutory period of twenty-one days. The defence can usually point to some particular item and show that it was not properly settled and then allege that the strike was about that one remaining item.

Industrial relations and the circumstances surrounding labour disputes can often be, as many Members will be aware, so complicated that there may be a considerable number of subsidiary disputes within the one dispute. There may also be certain differences between trade parties which are just not amenable to settlement by the Government's Conciliation Services or by a Statutory Arbitration Tribunal. Because of this, we have frequently found that we could not use the Essential Services (Arbitration) Ordinance but had to refer the dispute or a portion of it to a Board of Inquiry under the Trades Disputes

[The Parliamentary Secretary for Labour and Social Services] (Arbitration and Inquiry) Ordinance. We have learnt from experience that we will handle labour unrest in this country much more effectively if all types of trade disputes, whether in the Essential Services or otherwise, come under one Ordinance, namely: The Trade Disputes (Arbitration and Inquiry) Ordinance.

The Government also intends to go further and to improve upon that Ordinance. It has already reached agreement with the Kenya Federation of Labour and the Federation of Kenya Employers on proposals to revise the Ordinance. The present Bill seeks to abolish a system of compulsory arbitration for disputes in the Scheduled Essential Services. The Government has held lengthy consultations on the principles involved in this with the Kenya Labour Advisory Board and the Kenya Federation of Labour and Federation of Kenya Employers, and it is now freely recognized that systems of compulsory arbitration are not conducive to the development of mature and responsible industrial relations between the country's workers and employers.

Where the parties negotiating wages and other conditions of employment know that they have only to declare a deadlock in the negotiations in order to get priority attention by the Government, leading to compulsory arbitration, one usually finds that the complaining party is interested only in obtaining that compulsory arbitration as soon as possible. The parties do not try hard enough to settle their dispute by voluntary collective bargaining; they do not really help the conciliator appointed by Government during the stage before arbitration.

I would point out here, Sir, that if, under the system of voluntary arbitration, the parties refuse their consent to arbitration and appear to be intent on fighting out their dispute by strike action or lock-out, the Government still has power to impose upon them a Board of Inquiry under the latter Ordinance. There is hardly ever a case when the imposition of a Board of Inquiry does not effectively prevent the threatened strike, or bring it to an early end. Furthermore, whenever the Government becomes convinced that it is impossible to settle the wages and conditions of employment in a trade or industry by voluntary bargaining and voluntary arbitration, or by recommendations of a Board of Inquiry, the Government still has power either to impose a Wages Council on that trade or industry, or to make a special Wages Regulation Order fixing the terms and conditions by law.

I am confident, however, that my Ministry can succeed, in most cases, in achieving settlement of Essential Services' disputes under the voluntary system of arbitration provided for by the Trade Disputes (Arbitration and Inquiry) Ordinance, pending the revision of that Ordinance.

The Bill now before the House therefore omits provisions for settling disputes, but deals only with certain kinds of breach of contract of employment. This is the breaking of their contracts by employees in circumstances which will deprive the public of an essential service, or which will endanger human life, limb, public health or valuable property. Such breaches of contract include, of course, collective withdrawals of labour by numbers of workers.

I propose now, Sir, to give a brief outline of the Bill's principal clauses.

Clause 2 seeks to lay down certain definitions necessary to the operation of the Bill. The breaking of a contract of service includes any act or omission by an individual in defiance or neglect of the duties imposed by the contract.

The "essential services" affected by the Bill are those listed in its Schedule, which is the same as in the Essential Services (Arbitration) Ordinance, except that the Bill does not mention the "transport services" necessary to the other Essential Services, since they can be taken to be an integral part of those Essential Services, or, if farmed out to private contractors, should not be given the full status of Essential Services.

Clause 3 prohibits breaches of contract both in Essential Services and in any other type of service, wherever such breach is done willfully by an employee in the knowledge or belief that his action will deprive other people of an essential service or will endanger life or limb, or public health or valuable property.

This prohibition applies whether the action is taken by an individual or by a group of workers acting in combination.

The clause goes on to prohibit persons from instigating other people to break their contracts in the manner which I have described, and a greater punishment is proposed for such instigators.

The clause also introduces a presumption for evidentiary purposes that the contract of service alleged to have been broken did, in fact, exist or was a contract in an essential service; unless the accused adopts a defence of proving the contrary.

Clause 4 deals with stoppages of work in Essential Services and allows workers to use the

[The Parliamentary Secretary for Labour and Social Services] strike weapon if they have given at least 14 days' notice of their intention. The notice must be given to the employer in writing, and may be given by a registered trade union on behalf of its members. In effect therefore, the Bill will only put a brake on strike action, by delaying it for a fortnight in much the same way as the Essential Services (Arbitration) Ordinance only delays strikes but does not totally prohibit them.

A fortnight's notice is considered to allow more than enough time for the management of an essential service to prepare itself and make some arrangements for running the service, even though at a reduced level. A fortnight is, however, the minimum time that the disputing parties might in certain circumstances need to reach a settlement; or that the Government might need to intervene in the dispute and conciliate or appoint an Arbitration Tribunal or Board of Inquiry.

The reason why the clause proposes this minimum time, and not a longer period such as three or four weeks, is that we have found, by experience, that disputes need to be settled very quickly; otherwise the workers become so frustrated and impatient that they will go on strike regardless of the law.

The three weeks' notice required under the present Ordinance, plus the time extensions I am allowed to impose, have been found to be too long; employers have often delayed agreement up to the last minute or trade unions have refused reasonable settlements because they thought they could do better by getting compulsory arbitration.

The Government will, naturally, do its utmost to prevent all strikes—short of taking away the workers' freedom and right to use their ultimate bargaining weapon of the strike—but there comes a stage when a group of workers keep on using the strike threats to force the Government to impose one settlement after another, or when some employers keep on being adamant against the legitimate claims of their workers, because they prefer to force the Government to impose the settlements. Such settlements are very expensive to the public purse.

So it can sometimes be a healthy thing to call the bluff—whichever side is bluffing—and be prepared to let the parties fight out the dispute, even though there may be some temporary inconvenience or hardship to the general public. In such manner does a free and democratic people reach maturity, by learning from experience to exercise

its freedoms with restraint, rather than by being disallowed all exercise of the basic freedoms.

One final point, Sir, about clause 4. The notice of strike action would be invalidated automatically after twenty-two days. This is to prevent the Essential Service and the general public being kept on tenterhooks by a threatened strike which may start on any day without further notice: maybe four weeks, six weeks or eight weeks after the notice was first given.

Clause 5 would oblige the managements of Essential Services to post up an extract of this Bill in a prominent place in their works, so as to ensure that the workers are aware of the law.

Clause 6 would require that there is no prosecution under this law unless the Attorney-General has authorized it. The safeguard exists in the present Ordinance. However, the clause also seeks to permit the apprehension, charging and remand of offenders prior to obtaining the consent of the Attorney-General, because, in the turmoil of an unlawful strike, or while an unlawful strike is actually being instigated, there may only be that one short opportunity to apprehend the principal offenders before they disperse and go into hiding.

Clause 7 makes provision for Rules to be made for any appropriate matter which experience shows to require closer and more specific regulation within the general framework of this law.

Clause 8 seeks also to repeal section 48 of the Employment Ordinance which deals with certain specific types of breach of contract by individuals, and which clause 3 of this Bill substantially replaces. Some of that section 48 is an outmoded type of labour legislation which the Government would, in any case, be seeking to repeal in its forthcoming Bill to revise the Employment Ordinance. The remedies for some of the acts and omissions cited in section 48 exist, more appropriately, in other Kenya Ordinances.

I should mention, however, in this connexion, that the expression "valuable property" in clause 3 does cover property such as livestock; and any breach of contract or strike by an employee which exposed animals such as cattle, sheep, pigs or horses to risk of destruction, loss or serious injury would be punishable. This means, for instance, that a refusal by milkers or stockmen to perform the basic duties necessary for the safety or health of the animals in their charge would be an offence, so long as it was shown that the risk to the animals' safety or health was genuine and grave.

In conclusion, Sir, I can assure the House that a very great deal of study and work has been given by the Government's various advisers to the

[The Parliamentary Secretary for Labour and Social Services]

preparation of the Bill. The Secretary of State's Legal and Labour Advisers and his Labour Advisory Committee in London prepared the original proposals and obtained an advance opinion that the Bill would not conflict with the International Labour Convention No. 65 which seeks to remove obnoxious forms of penal sanction against breaches of contracts of employment.

The labour experts in Kenya's Labour Advisory Board, drawn from both sides of commerce, industry, and agriculture, and from the public services and my Ministry, have all advised that these proposals are workable and in line with industrial relations policies appropriate to the new Kenya. The Kenya Federation of Labour and the Federation of Kenya Employers are dealing with these labour matters every day, and are now operating one of the most advanced systems of industrial relations on this continent. We can, I think, rely on them in the spirit of the Industrial Relations Charter to prevent strikes occurring in the country's Essential Services.

Mr. Speaker, Sir, I beg to move.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian) seconded.

(Question proposed)

Mr. Oyoo: Mr. Speaker, Sir, I do not have much to say, but the hon. Parliamentary Secretary in the course of his speech on this Bill has referred to the Kenya Federation of Labour having been consulted. It appears to me that it is the only labour movement which probably his Ministry recognizes. Mr. Speaker, Sir, I would like him to elaborate on why it is that the Kenya Trade Union Congress has not been consulted, because I understand it exists in the country. If so, may the House be told why it was not consulted?

Mr. G. M. Mutiso: Mr. Speaker, Sir, I would like first of all to congratulate the Parliamentary Secretary for Labour and Social Services on the way in which he has presented the Essential Services Bill, but there are a few things I would like to point out.

The Essential Services Bill, in my opinion, Mr. Speaker, seems only to safeguard the interests of the employer, whereas it does not in any way show that the interests of the workers as such are safeguarded, because we are told that before the workers can resort to strike action, fourteen days' notice must be given to the employer and, in any case, they are not able to resort to strike action,

before all the machinery is exhausted, as laid down in the old Essential Services Ordinance and left at the mercy of the employer. I would like to know, Mr. Speaker, whether it is really in the interest of the workers for them not to be free to express their feelings, because I know from experience that there are some employers who, irrespective of whether or not the workers are prepared to negotiate, think they are covered by the law so they do not even like to listen to the workers when grievances do arise.

Mr. Speaker, Sir, there are some cases, and especially in certain industries, where it is covered under this Ordinance—you find some employers who do not like the workers to organize themselves into trade unions and if they are organized you find that, because of this Ordinance, the employers will not even listen to the trade unions, in cases of certain demands put forward by the workers.

This Bill, Mr. Speaker, in my opinion, as the Parliamentary Secretary has explained clause 2, completely denies the freedom of the workers, in that a worker is not entitled to air his views in accordance with the conditions existing in a particular industry. In the past we have been claiming that these Ordinances were made during the colonial period, and when Kenya moves into independence the workers would perhaps be expected to be looked after more carefully than during the period of colonial government. It does appear to me, Mr. Speaker, that there is no change whatsoever from the period of the colonial régime to this period of internal self-government, where the Kenya workers would perhaps feel that at least they could enjoy some liberties and could be covered by the Bill, in that certain employers should be forced by law to listen to the grievances of the workers. Here the Bill states that before any machinery is laid down by the Bill is exhausted and such disputes referred to the Ministry of Labour, the workers cannot resort to strike action. I would have thought, Mr. Speaker, that it would have been more appropriate if this Essential Services Bill had been prepared in such a way that the employer, as well would be forced to listen to the workers' grievances because, Mr. Speaker, I know for certain that there are some employers who never even bother to listen to trade unions. There are also some important demands which the workers feel should be put forward. There are some conditions in certain industries whereby the workers air their views and if the employer does not listen to them they are forced to resort to strike action. Here I

[Mr. G. M. Mutiso]

am surprised to find that the Minister for Labour does not look at this issue very seriously, forgetting that workers in this country have been for many years subjected to colonial—if I am allowed to say so, Mr. Speaker—mistreatment in many factories and industries.

Mr. Speaker, when the Parliamentary Secretary was moving this Bill I heard him say that where it appears that the workers contravene the agreement of any particular contract, then they are liable to prosecution. The employer is given the opportunity of writing certain clauses of the Bill on the notice board to show the workers that unless they abide by the Bill they are liable to prosecution. This does appear, Mr. Speaker, that only the employer is being cared for by the Bill and the workers' interests are completely forgotten or left aside. I would appeal to the Minister for Labour, Mr. Speaker, to consider the workers' interests first, because without the workers, I do not think there is any factory or industry which can exist. The employer is enjoying his fruits through the workers' sweat, and I should think that the interests of the workers should come first, not those of the employer.

With these few remarks, Mr. Speaker, I beg to oppose the Bill.

Mr. Shikuku: Mr. Speaker, having looked into this, I have come to the conclusion that it is the calculated policy of the Minister for Labour and his colleagues to deny completely the freedom of the workers, who gave me their votes and whom I represent. It is a calculated policy whereby the employer has no alternative but to agree, and he is subjected to the employer's orders.

Mr. Speaker, Sir, this Bill is well worded; there are a lot of words and clauses here as usual, but the poor worker is subject to a clause whereby he cannot air his views. If he tries to do so, he is told that this is an Essential Service, and it is clearly stated in the law of the country that if he does this, then he is liable to a certain penalty. The people who are in Essential Services are to be immune from airing their own views as to what salaries they should have.

Take, for example, clause 4, which deals with the collective withdrawal of labour from Essential Services. It says there: "Where any collective withdrawal of labour from an Essential Service is contemplated, whether in pursuance of a trade dispute or otherwise, and notice in writing of their intended participation in such withdrawal is given, either individually by employees in that service or on their behalf by a registered trade

union of which such employees are members, to the employer, then, if such notice has not been withdrawn—(a) an employee by whom or on whose behalf notice is so given; and (b) a person who causes or procures or counsels such an employee to break his contract of service, shall not be guilty of an offence under section 3 of this Ordinance if the employee breaks his contract of service after the expiration of fourteen days but before the expiration of twenty-two days after the delivery of the notice."

Mr. Speaker, this is the means whereby the employer will have the freedom to get things done. For example, there was the case—I think it was last year—of the Pumwani Maternity Hospital where some workers went on strike. I believe even the trade union leader was taken to court. Fortunately, he came out with flying colours as a result of his brave action and the Government has shed crocodile tears because they did not convict him.

The people have been frustrated for a long time and have not been given the freedom of organization under this clause, Mr. Speaker; it is not even worth having a trade union because you are subjected to conditions whereby you cannot air your views. It makes the trade unions in the Essential Services more or less fictitious because a trade union is supposed from time to time to raise the standard of living of the workers and review their grievances with the employer with the aim of obtaining better salaries and thereby a better standard of living. But here that is not possible because the employer will say, "Fourteen days have expired, I am of the opinion that there is nothing to be done and you cannot go on strike." I think the people in the Essential Services should be given the same freedom as those in any other industry to call a strike or to air their grievances. They should be on the same footing as the other trade unions.

I agree that the Essential Services are essential, but if they are, then the salaries of the workers in those services should also be essential; you cannot have it otherwise. Mr. Speaker, Sir, we have been accusing the British imperialists all along of being exploiters referring to them as people who have been suppressing us. I do not know if I could call this a black imperialist Government, but if these imperialist plans which have already been laid down are going to be carried out by this Government, then I think it can be safely said this is a black, permanent, imperialist Government, and it is important because it has nowhere else to go. I am glad that the British imperialists have somewhere to go and

(Mr. Shikuku)

that they are going. I do not think this one will go myself and this is a threat to the workers. If the workers are going to be subject to this black imperialism and oppression, then I do not know what we are going to do.

The Government has told our people time and time again that it is going to raise their standard of living and make everyone happy citizens of this country, so that I think it is only sensible and appropriate for the Government to reconsider this Bill, in order to give the people in the Essential Services a chance to air their views effectively and, if necessary, to call a strike. If everything is going to be controlled by the Minister, before a strike can be called he will have to agree to it, but of course a Minister will never agree to such a thing and will say that it has to be referred to the Ministry of Labour, and so forth. The Minister would never say, "Yes, go on strike." There is no provision in this Bill whereby clauses providing for the chance of the workers in the Essential Services to air their views and also to demand any salary from the employer are given. Here that is not being given. If a strike is essential, then the salaries of the people working in it should also be considered essential; they must be given a sufficient salary, so that they do not go on strike. If the Government is going to frustrate them, however, and subject them to this Bill, then I do not know what it is looking for. We are being told time and again by the Government that we are going to have African Socialism or whatever it is called. If this is African Socialism, then this is a different thing because I do not think it will work.

Mr. Speaker, Sir, these people are not the people who should not be allowed these services. When they have to treat our children or ourselves they should not have to treat us with a grudge while they have all feeling in their own hearts. They are so badly paid that they might become frustrated people and that is give in the best services. For example, Mr. Speaker, if one of the hon. Members here—they are all right when they are not suffering from anything—were to suffer from a headache or something, he would go to the hospital. If he goes to the hospital, which is one of the Essential Services, and finds a frustrated nurse or dresser and while he waits the Member of the Parliament who passed the Bill, what treatment do you expect from such a nurse? She, as a human being, and not a nurse will have some feelings in her heart about this and therefore she will not treat her Members well. She is frustrated because her family has no clothing.

her mother probably wants a dress but she cannot get it because she is paid such a little. Mr. Shikuku comes in and says he is sick and therefore she says, "I will not give him the best treatment. I will treat him, but not properly."

I think, Mr. Speaker, Sir, in all fairness the Essential Services workers should be given a chance to air their views, and above all the salaries in the Essential Services should be considered at the very first opportunity. When these people raise their queries they should be considered immediately, because if we are going to frustrate these people we are looking for trouble. If they go on strike we should give them more pay, this will all end in nothing more than people being told to work for much too little money. I do not think this Government should pursue such an unrealistic way of pursuing its own interest.

I hope, Mr. Speaker, Sir, that this is not going to be a capitalistic state. We have been told that we are pursuing African socialism—

The Speaker (Mr. Slade): You have said that two or three times, Mr. Shikuku.

Mr. Shikuku: Mr. Speaker, Sir, I am trying to emphasize the point here, whereby the workers must have the right to strike and to have their salaries increased. Therefore, Mr. Speaker, Sir, with these few remarks I beg to oppose the Bill, and I hope the Government will support me.

Mr. Towett: Mr. Speaker, Sir, like my friend on this side I stand to support this Bill. I have some very good reasons to do so as well, Sir. This Bill was drafted and went through the hands of the former Minister for Labour and as he is a friend of mine I want to support the Bill.

Mr. Speaker, Sir, this Bill was approved by the present hon. Minister for Justice and Constitutional Affairs, who has been a big man and a good citizen of Africa, if not for the whole world. Therefore, Sir, I have no reason to doubt his capabilities, his cleverness and the way in which he helps trade union affairs. Because of those two very simple reasons, Sir, I do not see any reason why we, who are very well-versed on trade union matters, should hinder the passage of this Bill. However, I am very surprised to find that this Bill went through the press on 22nd May, 1963, when we were not yet in formal self-government. I am, therefore, a bit surprised to see that these supporters of the Government are so ignorant and so unaware of what is happening in this country as to make us carry on with things that were passed and drafted before we were internally self-governing. It is very disturbing to see a Minister passing things which were drafted before we were governing ourselves.

(Mr. Towett)

Mr. Speaker, Sir, I feel that the hon. Members on the Government side are not aware that this thing was not of their own making. They are talking nonsense and supporting things that we did not make ourselves. This was a project of the colonial régime, and we are now endorsing it happily, all 85 hon. Members in the self-governing Kenya. I am a bit astonished and I am surprised and amazed at the ignorance of those who constitute the present Government.

An Hon. Member: On a point of order, Mr. Speaker, did you rule that this Government is responsible for anything that was done by the previous Government?

The Speaker (Mr. Slade): It is not exactly a matter for ruling, but I will explain to the House that Governments have a continuing responsibility and the Government of the day should always be prepared to answer for the Government of yesterday, even if they have no real responsibility for what they did. Otherwise we would have no stability in the country.

Mr. Somo: On a point of order, is it in order for an hon. Member to come in while you are speaking, Mr. Speaker, Sir?

The Speaker (Mr. Slade): No.

Mr. Towett: Mr. Speaker, Sir, I thank the hon. Member of the Government Bench for making me more aware of how ignorant of things he is. He does not know, Sir, that this Bill was drafted by the British Government and is being introduced into this House by the present Government. There was no need for this Government to introduce this Bill here. It is all right to say it was drafted by the British Government, but this Government could have withdrawn it and rewritten it.

I want the Minister for Labour and Social Services, who wants to inherit the work of the British Government, to withdraw this Bill with my support. I arose to support the Bill, but I want him to go back and look at it. If this Bill is allowed to go through today, and is allowed to become an Ordinance, we will not be allowed to change it for the next six months. During that time our people in the streets and our workers who want to go on strike will be demanding that certain aspects of their work be put right. Now the Government make this an Ordinance we cannot do anything about it for the next six months. Does this Government mean to tell us that we are going to inherit this colonial child and then carry on working with it for the next six months?

Mr. Speaker, Sir, under clause 5 (2) there is a very shocking sentence which says, and I quote: "Any employer who fails to comply with subsection (1) of this section shall be guilty of an offence and liable to a fine not exceeding Sh. 100 for every day during which the default continues." That is all right and I accept it, but the Government is going to suffer from this particular clause. Sir, what is this Bill aiming at? Is it just going to stop people going on strike? To stop people who are employed by the City Council water services sections going on strike; to stop people who are employed by the East African Power and Lighting Company going on strike; to stop people who are employed in our health services going on strike; to stop people who are in the hospital services going on strike; to stop those who are employed in the sanitary services going on strike; to stop those who are employed in the air traffic control going on strike? Now this Government is trying to pave its own way, and the former Minister for Labour was afraid of seeing people going on strike when they were Government employees. This, Sir, is going to be continued and endorsed by the present Minister and he does not know exactly what this implies. He is, in fact, going to stop all these people from going on strike. This is the way the Tanganyika Government handles matters, and this is the way the Kenya Government wants to go. I want to support this as well because I have been instructed by a friend of mine who is a very clever trade union leader. I, therefore, ask the Minister for Labour and Social Services to withdraw this Bill and to look at it before it becomes law and before he handicaps us for the next six months.

I beg to support the ignorance of the present Government in bringing this Bill to this House.

Mr. Kamau: Mr. Speaker, Sir, I rise to support the very sensible Minister for Labour and Social Services in bringing this Bill to this House at this time. I want to inform my hon. friends on the other side that it is only five or six months until we come to our independence. It would be a tragedy for this Government to have allowed a conspiracy on the other side to steer Kenya's travel at this juncture. It was most timely for the Government to have this essential Bill agreed by the Government, for the simple reason that we know during this period of internal self-government that we will be learning from various countries about how people try to create misunderstandings between the old and the new Governments. At this juncture, when the whole world is looking to see how the Africans in Kenya will govern, we have to work hard. For

[Mr. Kamau]

that reason we know of most of the things that were done by the previous Government. Most of these things, however, were not done according to the inhabitants' wishes.

It is the wish of this Government to go through the law of the country and find out what is not necessary. This Government will not oppose anything simply because it was done by the colonialists because it appreciates anything good that has been done by them. However, if there is anything bad it is the wish of this Government to review it and, therefore, Mr. Speaker, the Minister was very wise to introduce the Bill at this particular time. It would be shameful indeed for our Government if people who come here from various parts of the world to celebrate our independence within a few months' time notice that many of our people have gone astray.

We do not want to say that we shall deprive the workers of the liberty of demanding their rights in the right way and, therefore, I was surprised to hear the hon. Member on the Opposition say that he supported the view that people in the Essential Services ought to have freedom to strike. He did not give any explanations for this attitude. The Essential Services are held in high regard all over the world and I do not think he pleased to hear that the staff of the King George VI Hospital had gone on strike. We could not be called a good Government if we did not protect Kenya against such things.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Therefore, Mr. Deputy Speaker, I wish to support the Minister for bringing this Bill into the House at this time and in the manner in which he did it.

With these few remarks, Mr. Deputy Speaker, I beg to support.

Mr. Gatiguta: Mr. Deputy Speaker, Sir, I rise to support this Bill.

However, I would like the Minister to include education as one of the Essential Services because I find that it has not been included in the list. It is very important.

I think it is time we explained to the Opposition the idea behind this Bill because they seem not to understand it. It is no use talking of the freedom of workers without, at the same time, realizing that there is a limit to every type of freedom. You cannot give freedom to an indi-

vidual at the sacrifice of the whole community. You have to consider the freedom of the people of the country as a whole and not just one section of the people.

The people of this country are entitled to have such things as hospital treatment, water daily, and electricity. If, therefore, any Government is to look after the interests of the people the Government must see that the people get these services. That is why the Bill has been introduced: in order to stop unnecessary strikes.

Who does not know that in the past there were many strikes, for which the people had to suffer? Are you going to protect one man so that thousands may suffer as a consequence? No. We want to protect everybody in this country.

Let us take for example a teachers' strike. Would you support teachers going on strike while children of ten and fifteen years of age wait without education? You must realize that the question of pay is a different question altogether and if the teachers want pay they have the necessary machinery through which they can go. It is essential that certain services be protected in the interests of the people.

The Opposition is talking of this Government being an imperialist Government; being a Government which is doing the same thing that the Colonial Government did. This, Sir, is entirely wrong. It is a lack of understanding of the true position; this Government is not "imperialist" at all; on the contrary, it is looking after the interests of our people.

We must therefore say now that this country has no time for strikes and I wish to emphasize this, we want to work hard and we must promise to do so. We have no time for strikes. In fact, the Minister should have gone further and stopped strikes altogether. He should have disallowed strikes so that everybody must work. We are not the only country to discourage strikes, other countries have done it as well. Many other countries have done this for the sake of national progress. It is not a matter of Communism, it is a matter of putting the interests of the people, and not the interests of one section, first. We know what happens at these strikes. Mere colonialists and people who are the enemies of African progress come to the industries to engineer strikes. Are we going to allow this kind of attitude in our country? We must be aware of these enemies and we must not allow them to interfere with our ignorant labourers. Our aim must be precise work.

[Mr. Gatiguta]

I do agree with the Opposition when they talk of the salaries being improved as a result of strikes. People should certainly be paid well, and there is no earthly reason for any Member of the Opposition to believe that the Government is not going to consider this issue of salaries. The question of salaries does not arise in this Bill, but they can rest assured that the Minister will also consider this aspect. When we talk of African Socialism—a subject which I find some of the Opposition opposing—we mean equal distribution of wealth. In other words, we put the interests of every man in this country before everything else. That is why we talk of African Socialism. It is no use saying that we are protecting the employer when it is known that our target is African Socialism. Hence, the employer and the worker will each have a fair deal in this country.

Mr. Deputy Speaker, Sir, I do not wish to speak very much on this Bill because it is straightforward, but I would urge the Minister to support and to consider education as an Essential Service.

The Parliamentary Secretary for Education (Mr. Kagia): Mr. Deputy Speaker, I rise to support this Bill and I think there is very little for me to say. It is quite straightforward and quite essential. However, I would like to correct the impression which has been made by some speakers on the Opposition.

Unlike many of the speakers from the Opposition, except one, I speak from experience as a former Trade Unionist. I was surprised to hear one gentleman from the other side speak when he was completely ignorant of trade unionism. Instead of supporting the Bill, since he knew nothing of trade unionism, he opposed it. It seems as though the speaker not only knew nothing of trade unionism but he also did not understand the Bill because he said that the Bill is intended to stop people from going on strike. That is not the object of the Bill. The object of the Bill is to ensure that the public of this country always have water, that they will never have to go without electricity which is essential in life, and that they will not go without medical treatment. It also ensures that the towns and villages have got the Essential Services, et cetera. I was surprised to note that not one of the Opposition stood up and said that these services were not essential. Obviously then, they entirely agree with the Bill.

Another point I would like to correct is this. The Opposition think that trade unions are organized merely for the purpose of strikes which is an entirely wrong idea. The trade unions are

not formed to strike, but they are formed to put the case of the workers to the employers and this has been provided. There is a machinery in operation through which the trade unions state their case. If trade unions put their cases before the appropriate body and agreement can be reached there is absolutely no need for a strike.

There is yet another point. The trade unions are also the citizens of this country. They have the same interests as we have for the progress of industry and I am sure that no trade unionist will seek to destroy our industries. Whether they are fighting for more pay or better conditions of service, they do realize the responsibility of the employer to accede to demands, if at all possible, and so on. I am sure no trade union will agree that it is there merely to insist that the demands of the workers are met and, if not, to urge them to strike. They do know that we are embarking on a very difficult task and that we require the co-operation of everyone in this country.

Therefore, Mr. Deputy Speaker, I think that some of the Members of the Opposition were only trying to waste time—I do not know whether this is entirely in order—but actually there is nothing to oppose in this Bill. Anyone who is interested in the progress of this country should stand up and support the Bill.

Mr. Ngala-Aboki: Mr. Deputy Speaker, Sir, I rise to support the Bill.

However, I think I should like to warn employers that when a Bill of this nature is passed, it is not a licence to them to ignore the workers because I have met some employers and on some occasions they can be very stubborn indeed.

I feel that this Bill will be passed, and we shall support it whether in the House or outside it. Some of the employers get the impression that they are being asked to oppress the employees and so they refuse to sit down with the employees in order to sort out their difficulties; listen to their grievances and to try to help them before they decide to go on strike. The case that I have in mind is a hospital situation. In a hospital you have got the dressers, sweepers, hospital assistants, nurses and doctors. These people are absolutely essential within the hospital set-up, they work very many hours—they work day and night—and they should be entitled to some rights. I would not encourage any of them to go on strike now even if the employer does not want to listen to their grievances, but such an employer must be dealt with if he grows stubborn. I would like the employer to behave well towards these workers—who are doing so much work and doing such

[Mr. Njiru-Ahok]

essential service—and not say to them, "You are working for your own people and for God, and therefore, I need not help you". The situation exists, and the Government is going to come in for some of the difficulties. Some of these employers are from overseas and they are not interested in the welfare of our country and they say to us "Just go to your Government and claim from them, we have no money to give you", instead of representing our grievances to the Ministers, and instead of trying to help the new Government and the progress of the country. They turn away the pleas of the workers, disappoint them, and reduce the country and the Government to a chaotic state when a strike is on.

So, Mr. Deputy Speaker, I support the Bill and I think that the employers of this country must support the Government and bring about co-operation with the trade unions. I beg to support.

Mr. Gachoge: While supporting the Bill, I do sympathize with my hon. friend the Parliamentary Secretary to the Minister of Labour and Social Services. I can see what he has in the back of his mind, and I can see the problem that he is trying to solve. It is unfortunate that hon. Members on the other side—although right now I am talking to empty benches, and I am glad that one of the only two occupants is my former trade unionist colleague. I believe that he will realize that this is a national problem, and not a problem of a small group of people. I have with my own eyes witnessed the serious situation. I have witnessed animals dying for want of water. Animals left with nobody to look after them. Only a few weeks ago, or months ago, in this very city of Nairobi many people witnessed the seriousness of the situation when workers like those working in the maternity homes—it was actually seen very clearly that such strikes of people working in the Essential Services could be very serious, and they could have very detrimental effects in the development of the country. I would ask the Opposition not to look at the Bill from the political side of it, but to look at the Bill from the importance of it to the welfare of the people and to development in this country. The workers are a very essential group in the development of a country. We depend on the workers in a number of services to develop the country quickly and at the required speed. If, Mr. Deputy Speaker, Sir, an hon. Member is going to stand up here and speak in favour of delaying a Bill like this, then I do not know where we will end. I do support the Bill very much and I would like to ask my hon. friends on the Opposition side to realize the importance of this Bill.

There are two points that I would like to be considered more deeply. The question of a strike is a two-sided affair and it involves the workers just as much as it involves the employers. The consideration here is who is the originator of the strike and what is the origin of the strike. Is it in the Essential Services? In most cases, there is this tendency of the public and the employers to blame the workers for going on strike in the Essential Services. It is the fault of the employer that such people go on strike. It is the duty of our Ministry of Labour to look into this affair more deeply, and to see whether legislation is brought before the House is safe-guarding or controlling the employers, as much as it tends to control the workers. Most of the strikes within the Essential Services are engineered by the trade union leaders, who are aiming at building themselves up politically. I would like the Ministry of Labour to include in the legislation or within the Bill, sufficient safeguards so that the trade union leaders do not exploit the people and make them strike in order to further their political aims.

Mr. Deputy Speaker, Sir, regarding the salaries which have been mentioned by Members on the Opposition Benches. I do not think that strikes are only caused through salaries. I think it is the other conditions of service that are essential, and not necessarily the salaries, and I do believe that people working in places like the hospitals should have good conditions of service so as to enable them to continue working and enjoying the same privileges as other workers. I think that some cases should be looked into, and I do not object to some of these cases being looked into. I do believe that in the past, there have been insufficient safeguards of the conditions under which they serve, and I think the Ministry of Labour should ensure that these people enjoy the same, if not similar, privileges that are enjoyed by others. I do not think that salaries are a very important issue in such a Bill, because what we do not want to see here a situation where people go on strike and just leave the country uncared for. They should not think of themselves first, but, instead, should think of the nation and the country.

Mr. Deputy Speaker, while supporting this Bill, I would remind the hon. Parliamentary Secretary to the Ministry of Labour, that he should look into the matter. Such a Bill or law, should also be extended to the employers and the trade union leaders, some of whom are very responsible, more responsible for strikes than even the workers themselves.

With these few remarks, Mr. Speaker, Sir, I beg to support the Bill.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Mr. Kilweger: Mr. Speaker, Sir, while supporting the Bill, I would ask the Minister and the employers, while considering this Bill as essential—and when he asks the workers in the Essential Services not to go on strike—that there are two things which they should also bear in mind. One is: if the Ministry and employers consider certain work to be essential, then the workers who are doing those different services should also be considered as essential workers. Another thing is that if the services are essential, the demands from those workers should also be essential. When the Ministry is considering, or the employers are considering, the grievances raised by the workers, they should be referred to as essential grievances, and they should be referred to as being essential, so that the Essential Services might not be interrupted or left unattended, because so many people who need those services will be affected. We have found that the strikes are not caused by the action the unions take. There are certain channels through which these grievances should be brought, and if those channels are taken into consideration when the grievances first start, I do not think that we would have to contend with the problem of strikes. What happens, usually, is that the Ministry and the employers tend to pay very little attention to the unions who are demanding some things which affect their ordinary life. If the unions bring forward something that must be attended to, it is important that the employers attend to those grievances immediately, and if they consider that there is a necessity for action to be taken, because of the demands raised by the unions, then that action should be taken without leaving the matter to go on so long. If that sort of thing happens, you will find that there is a lot of discontent amongst the people and then that is what causes the strike.

Now, if the employers and the Ministry, were to answer, or were to take immediate action on the grievances raised by employees, we feel that this Bill will be carried out without much trouble, and without even reaching the last action, which is strike.

With that, Mr. Speaker, I beg to support the Motion.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, I am going to take a very short time, and

I want to take this opportunity of making a few points with regard to our labour situation, or rather the strike situation in Kenya. It seems to me that what is important now is the education of everybody. By that I mean the workers as well as the labour leaders. Some remarks were made by some hon. Members on the opposite side about the employer benefiting from the sweat of the workers, and other things like the case for the workers should be taken first, and so forth. This sort of thing is very naive, because all hon. Members should know that labour is just a factor in the whole economic system, therefore it is just as important for the employer as it is for the worker. However, I want to stress this point of education. Mr. Speaker, because I feel it is time now that the workers in this country were educated so that they do not only think of making money. It is not only a question of money. It is time that the workers be educated to think of the welfare of their country and other people, rather than merely being guided by their own selfish aims of getting as much money as they can in their pockets. I am not saying, Mr. Speaker, that they should not worry about money, but I would like to say that this time, or at the present moment, the workers should be educated not only to think of money. They should not be afraid of being exploited, because they have elected a Government which is very keen on the interests of the worker and everybody else in the country. This Government will see to it that no worker is exploited, and this Government will see to it that the workers get any compensation due to them. It is important that the workers, because a nation and solve some of our very important problems that are keeping us backward. It is important that the workers should be aware of these problems, so that they do not think only of getting money. I think this should be made very clear to all workers.

Another point, Mr. Speaker, Sir, is the education of the labour leaders. I had the opportunity once of being a member of a Board of Inquiry into a labour unrest. As a matter of fact, it was in Nyanza at the Macalder Mines, and it was my impression that some of the misunderstandings and sufferings were actually caused by the labour leaders, because they were not very careful with regard to what they were doing, or they were not really aware of the important position they were holding. In other words, their advice to the workers was sometimes quite harmful. I came across a number of workers who were faced with very difficult problems throughout

[The Parliamentary Secretary for Finance and Economic Planning]

their lives, and it seems to me that these workers were placed in this situation through the advice that they were given by the labour leaders. I should therefore stress that these labour leaders should be properly educated, so that their interest are not only concerned with the workers' welfare, but the welfare of the country as a whole. As a matter of fact, they should also consider the interest of the employers, because without the companies there would be no workers, and the labour leaders would not have anybody to lead. In this case, the labour leaders also have to grow up with the country, and grow up with the new situation, and take up their responsibilities, because it is my impression, Mr. Speaker, Sir, that in this country we have too many labour leaders, especially if we consider the number of workers in relation to the population of this country. The workers form a very small percentage of the people of this country, and yet you find that most of the noise in the newspapers is generally made by the people who call themselves "labour leaders". I must say, Mr. Speaker, Sir, while listening to this noise, I see that quite a bit is generally useless.

Therefore, Mr. Speaker, it really was on this point of education that I wanted to make my point. I believe that it is now time that we took a fresh approach to the whole problem, and that includes the labour problem, so that our workers do not only think of themselves, but of the country as a whole. I have heard labour leaders telling people *uhuru na tumbo, uhuru na tumbo*. This is all very well, but *tumbo* is not everything. You need other things like your freedom, and the people who read the Bible will know that man cannot live on bread alone. We cannot just go on telling these workers *uhuru na tumbo, uhuru na tumbo*, without reminding them about the country and their fellow brothers who are also a part of the working population. They should be educated to think of the country as a whole, and also to think of the welfare of other people, rather than just themselves. I think they should leave the matter of being exploited to us, the Government, because this Government is going to see that no worker is exploited, so there is no point in them having any fears.

Finally, there is the question of the labour leader, Mr. Speaker. I think that he should be educated, and it must be pointed out to him the responsibilities he has in this country, and for everybody else.

Thank you very much, Mr. Speaker.

The Parliamentary Secretary for Commerce and Industry (Mr. Jamohamed): Mr. Speaker, Sir, I would like to say that the Bill, as introduced, is a very important Bill. It is in conjunction with the Essential Services Bill, and I would really like to congratulate the Minister for bringing in this very important Bill.

Sir, in a country like Kenya, which is a developing country, I think the Essential Services are very important, and this is a matter where consideration should be given to what the Essential Services are. Sir, this country is now developing, and therefore all the services connected with the development of the country are essential. Sir, we have seen examples in this country—when there was a strike in Nairobi—like when the local government employees went on strike. Sir, there were untold hardships being experienced. Another example is in Machakos during the famine period. At that time some of the employees went on strike, particularly those connected with the transport industry. Sir, this strike was not a genuine strike, it was a sympathy strike, and it was never considered that the district was passing through a very serious famine. At that time, had it not been for the Army who delivered all the required foodstuffs into the district, the situation would have been very serious. Sir, I believe sometimes that strikes are only concerned with emotional matters. We have the necessary machinery in this country, Sir, we have the Federation of Kenya Employers, the Kenya Federation of Labour, and certain others, and Sir, many times we find that all avenues were not explored before the strikers went on strike. It was mentioned here by one of the speakers, that the workers were led into these strikes by the labour leaders. Sir, our organization, our labour movement in this country, is not very well organized, and it has been found that the people who suffer the most are usually the workers, and also the employers. This is a disruption of the economy of the country. We are just beginning to develop our country, and as I said before, Sir, while developing a country we cannot afford to have strikes which are caused by emotions. I am not saying for a moment that the workers do not have the right, but, Sir, what I am saying is this: all the avenues are never explored before the strike takes place.

Therefore, Sir, I would like to support this Bill very strongly, and I also hope that the leaders of the labour organizations will see that before these strikes are called, all avenues are explored. I would like to see the Federation of Kenya Employers and the labour movement getting together.

Sir, I beg to support.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onzko): On a point of order, Sir, may the Mover be now called upon to reply?

(The question was put and carried.)

The Parliamentary Secretary for Labour and Social Services (Mr. Odoro-Jowi): Mr. Speaker, Sir, I am gratified by the reception that this Bill has received in the House. I think it is only a few hon. Members on the other side—who are unfortunately absent at this time—who tried to confuse the whole issue. No hon. Member can accuse the Government of passing a Bill which only protects the employer and not the worker.

Now, Mr. Speaker, Sir, this is really contrary to what the Bill is actually intended for. The Bill is intended to protect the public, and not the employers. Mr. Speaker, Sir, we know that employers and workers need some freedom to bargain; they need some freedom to air and to correct some of the malpractices in industries. In this, Sir, we have a whole system already agreed between the employers and the workers which lays down the whole machinery for settling disputes. I am referring to the Industrial Relations Charter which lays down very clearly the agreed responsibilities between the unions and employers, and if in any part of the country they feel that certain things must be put right, they only have to resort to the machinery and nothing more.

The purpose of this Bill, Sir, is to protect the public, and this aim of the Bill, I think, is really self-explanatory.

Mr. Speaker, Sir, one hon. Member mentioned the fact that it would be good to regard education as one of the Essential Services. I understand why he says this. I quite agree that education is very important, but I think that when thinking of Essential Services, in order to respect the freedom of association of the workers and also of the employers, we must restrict the list mainly to the very essential services; otherwise the list will become very long and there will be no end to it. We must restrict the convention covering freedom of association and try to limit the list of Essential Services to those which are really essential.

Mr. Speaker, another hon. Member mentioned that we should pass a Bill which makes it difficult for trade union officials to provoke the people to strike, or to call a strike for political reasons. I think the trade union officials should be taught to separate political issues from industrial issues, which might do the job and achieve the same end in a more effective way. In Kenya, I think that there are a few of these sort of men; irrespon-

sible leaders who would use the workers for their political aims. I think the Government should keep an eye on this and see that the strike is used only as a method of protection of the industrial rights of the workers.

Let me repeat again that the Bill before the House is a very liberal one. It allows Essential Service workers to go on strike, on the one condition that they give proper notice. The worker in industry is allowed to go on strike at any time, so long as individuals do not abandon their work in a manner which would be endangering life or valuable property. If I may repeat, the Essential Service worker is allowed to go on strike if he has given proper notice and provided that the machinery of negotiation has been exhausted. Therefore, the accusation that we are limiting the workers' right to go on strike, is not true. This Bill does not restrict the workers' right to go on strike. As a matter of fact, the critics of this Bill would have done well to have consulted the Industrial Relations Charter which very clearly lays down the matters to be gone into before a strike may be resorted to. This Government realizes that the weapon of the strike is very essential if the voice of the worker is to be heard. However, it also realizes that the indiscriminate use of the strike weapon is very damaging both to the economy of the country and the trade union organizations themselves.

Mr. Speaker, I think this is all I have to say, and with this I beg to move.

(The question was put and carried.)

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

THE NATIONAL LOANS (AMENDMENT) BILL

The Parliamentary Secretary for Labour and Social Services (Mr. Odoro-Jowi): Mr. Speaker, Sir, I beg to move that the National Loans (Amendment) Bill be now read a Second Time.

Mr. Speaker, it is stated in the Memorandum of Objects and Reasons that the purpose of the Bill is to insert a reference to a loan of £250,000 from the Consolidated Fund to an Assistance Fund for farmers in the Scheduled Areas. This is in the Second Schedule and it says that the interest and capital of the loan is to be charged to and payable from the Consolidated Fund.

Mr. Speaker, I beg to move.

The Parliamentary Secretary for Commerce and Industry (Mr. Jamohamed) seconded.

(Question proposed.)

(The question was put and carried.)
(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow.)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Speaker (Mr. Slade) left the Chair)

-IN THE COMMITTEE

(The Chairman (Mr. De Souza) took the Chair)

THE EXCHANGE CONTROL (AMENDMENT) BILL—1963

*(Clauses 2 and 3 agreed to)**(Title agreed to)**(Clause 1 agreed to)*

THE INSURANCE COMPANIES (AMENDMENT) BILL

*(Clause 2 agreed to)**(Title agreed to)**(Clause 1 agreed to)*

WORKMEN'S COMPENSATION (AMENDMENT) BILL

*(Clauses 2, 3, 4 and 5 agreed to)**(Clauses 6, 7, 8 and 9 agreed to)**(Title agreed to)**(Clause 1 agreed to)*

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, Sir, I beg to move that the Committee doth report to the House its consideration of the Exchange Control (Amendment) Bill, the Insurance Companies (Amendment) Bill and the Workmen's Compensation (Amendment) Bill and its approval of the same without amendment.

*(Question proposed)**(The question was put and carried)**(The House resumed)**(The Speaker (Mr. Slade) in the Chair)*

REPORT AND THIRD READING

THE EXCHANGE CONTROL (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Exchange Control (Amendment) Bill and its approval of the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Parliamentary Secretary for Commerce and Industry (Mr. Jannohamed) seconded.

*(Question proposed)**(The question was put and carried)*

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Exchange Control (Amendment) Bill be now read a Third Time.

The Parliamentary Secretary for Commerce and Industry (Mr. Jannohamed) seconded.

*(Question proposed)**(The question was put and carried)**(The Bill was accordingly read the Third Time and passed)**(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)*

THE INSURANCE COMPANIES (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Insurance Companies (Amendment) Bill and its approval of the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Parliamentary Secretary for Commerce and Industry (Mr. Jannohamed) seconded.

*(Question proposed)**(The question was put and carried)*

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Insurance Companies (Amendment) Bill be now read a Third Time.

The Parliamentary Secretary for Commerce and Industry (Mr. Jannohamed) seconded.

*(Question proposed)**(The question was put and carried)**(The Bill was accordingly read the Third Time and passed)**(Order that the Clerk carry the said Bill to the Senate and desire their concurrence)*

THE WORKMEN'S COMPENSATION (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Workmen's Compensation (Amendment) Bill and its approval of the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Parliamentary Secretary for Commerce and Industry (Mr. Jannohamed) seconded.

*(Question proposed)**(The question was put and carried)*

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the Workmen's Compensation (Amendment) Bill be now read a Third Time.

The Parliamentary Secretary for Commerce and Industry (Mr. Jannohamed) seconded.

*(Question proposed)**(The question was put and carried)**(The Bill was accordingly read the Third Time and passed)**(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)*

COMMITTEE OF SUPPLY

VOTE 19—MINISTRY OF INFORMATION, BROADCASTING AND TOURISM

*(Continuation of debate interrupted on 9th July, 1963)**(The Speaker (Mr. Slade) left the Chair)*

IN THE COMMITTEE

(The Chairman (Mr. De Souza) in the Chair)

Mr. Pandya: Mr. Chairman, Sir, I would like to move a reduction of £1 in the Estimates for the year 63-64 from £165,000 to £164,999.

The Chairman (Mr. De Souza): You have to move a reduction in the Estimate of the whole Vote and also notice has to be given in writing. You can do it after you finish your speech.

Mr. Pandya: I beg to move the reduction of Vote 19—Ministry of Information, Broadcasting

and Tourism from £176,875 to £176,874. Mr. Chairman, in the debate on the Vote I did raise the question of the policy of the Kenya Broadcasting Corporation, particularly with regard to the "Armchair Cinema" programme. I regret very much, Sir, that the Minister did not extend to me the courtesy of answering to the points that I raised during the debate. The only thing he said was that there were many foreign languages, Hindustani and Hindu, for his information I must say that there is no such language as Hindu.

He also talked of the fact that Asian people should learn Swahili and English. I am very pleased to assure him that many of us know English and Swahili but that does not mean that they should be deprived of the pleasure of enjoying programmes which the Corporation is supposed to provide under the Bill that was passed last year. Now, Sir, I have seen in the newspaper this morning that the Kenya Broadcasting Corporation have confirmed their decision of doing away with this programme of "Armchair Cinema", despite the fact that there have been strong protests from the citizens of this country. While I appreciate the difficulties that the Kenya Broadcasting Corporation have to face in providing the films for this programme, I think it is they themselves, who are to blame for this deficiency because they did not, in the first place, seek the co-operation of the local distributors in this country, particularly of Asian films, for these are the people who are buying the best films from India and Pakistan and showing them to this country. Instead of seeking the co-operation of the local distributors, they went to the expense of trying to get films directly from these countries and found they could not provide the standard of films which was necessary in the interests of the people, particularly the customers who had, because of the provision in the Bill of providing programmes in Hindustani, gone to considerable expense of getting a television set and enjoying this programme.

Sir, we are told in the statement today that, instead of this programme, they are going to use local talent in trying to put over certain programmes from a local angle. This may be very well, Mr. Chairman, for a short time, but have we such a variety, can we satisfy the different taste, and particularly I emphasize that these programmes should have more relation to the cultural aspects of the communities we are serving. What cultural aspects will be served by this local talent? If we run out after a programme or two.

[Mr. Pandya]

we are then faced again with the inevitable consequences and the reasons that now we cannot provide a greater variety, and that is why we are cutting out this programme altogether.

If I may say so, Mr. Chairman, some of these programmes and, particularly, some of the films which were shown in the "Armchair Cinema", had more cultural value than some of the programmes which are provided in English with gangsters and a sexual background. Instead of putting this on, it is better to continue with these programmes. The real answer is to give better programmes, to give better films for the satisfaction of the public viewing the television, instead of cutting it out altogether and trying to put on this local talent. Of course, Sir, I am not yet able to comment on the programmes which are going to be put on. I understand they are going to be started in about a fortnight's time, but I feel they cannot be an adequate substitute for the programmes which have been taken off. I think this is a very dogmatic attitude on the part of the Board of Governors of the Kenya Broadcasting Corporation, and I would like the Minister to convey the feelings of the people of this country to the Board of Governors and to say that they should co-operate with the public and give them the programmes which they feel they would like to see and not give emphasis to the difficulties which the Kenya Broadcasting Corporation has run into. It is for this very reason that I would like an assurance from the Minister that he will convey our feelings to the Board of Governors and will see what changes, even at this late hour, can be implemented in the programmes to serve the interests of the people of this country. It is no use some hon. Members accusing me of tribalism or anything. As I have said before, these programmes have been enjoyed and are being enjoyed by people of other communities who, although they may not follow the language, appreciate the music and other aspects of these films which have been put across by the Kenya Broadcasting Corporation.

It is for this reason, Mr. Chairman, Sir, and because I feel very strongly on this that I am putting forward a point of view on behalf of the citizens of this country, and they are entitled to be heard and they are entitled to be provided with programmes which will suit the tastes of those people.

With those words, Mr. Chairman, I beg to move the amendment.

(Question proposed)

The Parliamentary Secretary for Commerce and Industry (Mr. Janmohamed): Mr. Chairman, Sir, I think the hon. Member has raised a point. The point is that in this country things should be viewed from a local angle. Sir, I think in this country we have to look upon the Kenya Broadcasting Corporation programmes on a national basis rather than on a tribal basis, although I am not suggesting that it is on a tribal basis. However, Sir, I would like to ask the hon. Members, how many people really enjoy the programme. The programme "Armchair Cinema" is a very lengthy one, it takes nearly two hours. If they were short programmes people perhaps would enjoy them. Again, from the local aspect, Sir, how many younger people, and particularly I would like to say how many younger Asians—enjoy this programme? I would like to go on and say that many of the younger children perhaps now do not understand the languages very well, and so are we going to pursue this and have two hours every week on "Armchair Cinema"?

On the contrary, Sir, I would like to welcome the approach of local programmes and local talent. If there were a possibility of getting short films, not taking two and a half hours, I would certainly say that perhaps those programmes could be continued, but as it is, Sir, the Asian films are very lengthy and I feel that it is a very small proportion of the people who would enjoy these programmes. Sir, if the hon. Member had to go out and ask the general opinion of most of the younger generation, I would like to assure him that none of them enjoy this programme, and, therefore, I would like to say that the whole thing should be viewed from a national angle. In this country, we have to fit in as a nation. If Swahili and English are going to be the languages of this country it is very essential that the people and the nation should follow them.

Mr. Gichoya: Mr. Chairman, Sir, there is one thing I would like to correct, and that is the impression which has been given in the past and which the Kenya Broadcasting Corporation and other bodies have been trying to instill in the minds of the people of Kenya.

The Asian group within the country is fighting for an Asian programme. Mr. Chairman, I have been in India where they have the All-India Radio, which is a governmental institution. With the exception of a few cases, you find that most of the programmes are for the interest of the Indians, not for the interest of the foreigners. At the present moment, of course, we are at the cross-roads. One person says, "Well, I am not an Asian, I am an African." Another one says, "I am not a European, I am an African." The time

[Mr. Gichoya]

is yet to come when we are to judge whether we have got an adequate number of Asians who are really Africans in the sense of citizenship, and an adequate number of Europeans who will claim Kenya citizenship. Before that time comes, Sir, I feel of necessity that we should have Swahili as the major programme, with English, of course as a minor programme if necessary. I say if necessary because 95 per cent of the population is entirely a Swahili-speaking group inasmuch as they are Africans. We would like to have Swahili as the national language of Kenya, as it is in Tanganyika. If we are to encourage it, it means we are to remove some of the languages. If necessary, the English language could be removed, Hindi or any other language could be removed, but of course we cannot do without English for the time being. A stage is coming when we shall be able to do without it, but Hindi or, for that matter, Hindustani in Kenya should not have any place.

Take the case of the Currency Board. Our currency has on it "East African Currency Board, Ten Shillings" and underneath it something written in Gujarati, I believe. It is not Hindustani, Mr. Chairman; it is something like Gujarati. Does it mean that we have become in this country a province of India? There is no Swahili on the currency of this country. If we do not have authority in the Currency Board, where we have the authority as with the Kenya Broadcasting Corporation we have to have entirely, if possible, the African language being used. If necessary, we should have even Masai, Kikuyu, Luo. These are the programmes which should be encouraged and not the foreign languages in our own country.

With these few words, Mr. Chairman, I would say let us encourage the indigenous languages of the country for the 95 per cent of the population, not for less than 10 per cent of the population, if we are to be democratic at all.

Mr. Pandya: Mr. Chairman, I want to assure hon. Members that I was speaking from a national point of view, not from a communal point of view, because I do not believe that you can neglect part of the population, however small a percentage it may be, if the Kenya Broadcasting Corporation by law should provide programmes in a particular language. As I have said, my main purpose was to put forward the point of view of a large number of people in this country, which includes many young people. Contrary to what the Specially Elected Member said, I know their feelings and they feel very strongly that this programme should have been reinstated. Some

young people may not speak the language, but still they enjoy seeing it.

However, Sir, I think I have ventilated the point enough, so I would like to withdraw my amendment.

(By leave of the Committee, the amendment was withdrawn)

(Resumption of debate on original Motion)

The Minister for Information, Broadcasting and Tourism (Mr. Achungi Onyiah): Mr. Chairman, owing to the fact that the Motion has been withdrawn I do not want to go very much into detail, but I also at the same time wish to inform the House that we spend sixty-four hours and thirty minutes a week on the Asian service only. That is the whole service. In Hindustani we spend forty-six hours; in Urdu, two hours; Hindi—and here I think probably my friend did not understand me properly. I might have said Hindu instead of Hindi and even the clerks misunderstood—two hours; Gujarati, six hours and twenty minutes; Punjabi, four hours; Konkani, one hour; and also in English, three hours and forty minutes.

Mr. Chairman, it is the intention of the Government to reduce these tribal languages—and I have said it in this House—and it will not only start with the Asian community; it is going to start with everybody. We have to teach our people a language which everybody will speak and understand well.

We have only one language and that is Swahili; I think in this country the Asians must be able to speak either English, or Swahili, whether it is kitchen Swahili or up-country Swahili. So long as it can be understood well enough for them to follow the programme that will serve its purpose. They should have a pride in learning the language of the country and the language of the people. It is not our intention, and it is not going to be the Government policy, to encourage tribal languages. Instead we are going to give more programmes for our people to be entertained even on the television. I do not want to go into much detail because the hon. Member has already withdrawn his Motion, but I want to tell him, Mr. Chairman, that although I agree to convey this request to the Board of Governors of the Kenya Broadcasting Corporation, I will have to add to my letter—if I do send one—that I strongly support the move by the Kenya Broadcasting Corporation to replace this programme with another better programme which will be based on more local appeal for the people. I hope this programme will be done in Swahili, and I think the Government is going to support me on that.

[The Minister for Information, Broadcasting and Tourism]

Mr. Chairman, I think as this Motion has been withdrawn I do not want to rub it in unnecessarily and I think my hon. friend for having lessened the work I have to do by going through my Estimates.

Mr. Pandya: Mr. Chairman, on a point of explanation, I just wanted to say that I was not emphasizing the languages, I was emphasizing the programme aspects. I agree with the Minister that we should have as few languages as possible, and I will support him in that, but I only said that I would like this particular programme to be looked at in that particular context.

(Heads J and K agreed)

(Resolution to be reported without amendment)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT

NOTE 19—MINISTRY OF INFORMATION, BROADCASTING AND TOURISM

Mr. De Souza: Mr. Speaker, Sir, I beg to report that the Committee of Supply has considered a Resolution—

THAT a sum not exceeding £176,875 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1964, in respect of Vote 19, and has approved the same without amendment.

The Parliamentary Secretary for Commerce and Industry (Mr. Janmohamed) seconded.

The Minister for Information, Broadcasting and Tourism (Mr. Acheng-Onoko): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

(Question proposed)

(The question was put and carried)

COMMITTEE OF SUPPLY

NOTE 14—LANDS AND SETTLEMENT

(Resumption of debate interrupted on 5th July, 1963)

The Speaker (Mr. Slade): If no hon. Member wishes to speak I will call on Mr. Marrian to reply.

Mr. Kiboga: Mr. Speaker, Sir, I do support the Vote on Lands and Settlement, but I have a few comments to make.

First of all, according to information received from Members, we find that some lands are bought at a very high price and in the opinion that, although we support the Government, we do not want our Government to leave us with debts before the imperialists go away. Therefore, the Board that is concerned with buying of the land should be reorganized in such a way that the people who are in it are people and who are the interests of the country at heart, let the country suffer by paying a lot of money for very poor land. I understand that in some cases the members of the Board are settlers who have sold their land and then are put on to this Board to organize settlement. If somebody is not interested in staying in the country and wants to sell his land and go away why should he stay a little longer in the same organization and draw money from the country? I think it is wrong for the Government to allow that. What should happen is if a settler sells his land then he should be free to go and find employment in another type of business, and he should not be employed on the settlement schemes.

When it comes to the question of houses I would like to say that I think the Government should be very careful. If the Government buys a very costly house on a certain piece of land, they should make plans to see that the houses and the buildings on that land are made use of. I think there are so many things which could be carried out within those houses. Therefore, I think the Government should take care to see that after buying a piece of land where there is a big building that building should not be neglected. If it cannot be put into full use immediately it should be taken care of until the right time arrives.

While talking about these settlement schemes I would like to comment on settlement in Mwea/Tebera. The present Kanu Government should remember that although the people in that area do appreciate the good job that has been done by the settlement there—a lot of rice is being grown there—the Imperialist Government took that piece of land without the people's consent. It would be wrong for this Government to continue to support the idea of 'one piece of land being taken from somebody and being given somebody else. It happened during the Emergency and the people of that area were not consulted at all. The detainees were put there and we do appreciate that the land was developed. However, there have been a lot of complaints from the population because their land was used without their consent and they feel it is high time the Government declared that this land should be

[Mr. Kiboga]

to the right owners, the clans concerned. Before the Government took over this land there were houses and people were looking after their goats, their sheep and their cattle, and had made their homes there. The Government took away everything and started to organize settlement. The Government, however, recognized the rights of the people of the area and I have seen an agreement that was signed between the local clans and the representative of the Government. The agreement stated that that land would never be taken away from the people of that area. We do appreciate the good work that has been done and we feel that more rice could be grown in the same area, and if so the people of that area will have all confidence in the Government. The whole of that land should be declared to belong to the people concerned, so that they can settle their own people and they can control their own land. We do accept the fact that we shall need the services of an expert from either the Ministry of Agriculture, the Ministry of Settlement or any other Ministry within the Kenya Government. You must remember, however, that we want rice growing to continue because money is already there that was given by the Famine Relief Fund. Last time I visited that area the manager, who was working very hard, was waiting to know what authority is going to control him, whether it would be the central council, the Regional Assembly or the Government. I feel the Minister in charge has a duty to declare today—when the time comes for him to reply—that the people will be assured of their rights. If this happens I think they will co-operate with the Government in seeing that this piece of land becomes productive and helps the country as a whole.

With those few remarks I beg to support the Vote.

Mr. Gichoya: Mr. Speaker, Sir, I have just risen to strengthen the words of the hon. speaker who has just sat down. He has touched the most fundamental issue which is actually very delicate: Mwea/Tebera irrigation and rice scheme. It was a scheme undertaken by the other Government during the Emergency without the consent of the people. Of course, it has helped both the Government and the country as a whole. It has helped the country inasmuch as we have, today, a project which has given Kenya a position in the rice-growing schemes or in the rice-growing fields of the world. As regards here production I think we have no equal within East Africa and perhaps even within the outside world. However, here lies a fundamental issue.

My own people's land, which was taken during the war period, was never returned to them even after the war was over. During the period of the Mau Mau war a person could only accept one of two things. Either you accepted the order of the day or else you faced the bullet. My people were not cowards, but they had to respect the law of the time no matter how awkward that law was. Hence the land was taken without their consent or approval, without any sort of compensation; and today, within my own constituency, we have my own beautiful district, my people who are tenants in the rice scheme constitute 46 per cent of the population. The rest of the tenants are from other places.

Mr. Speaker, I must make it clear here that I have no grudge or hatred against anybody either from the Central Region or from the Eastern Region. Some of my people have married in the Central Region as also in the Eastern Region. Hence we have no hatred whatsoever. What we do want is our rights to be recognized. Kenyanization as it stands is a very wide term; Africanization would be the appropriate term.

At any rate, Mr. Speaker, I am speaking on this question of resettlement. We would very much like to have the Mwea/Tebera Rice Scheme expanded and at the same time it must be of benefit to the local people who are the owners of the land. Above all by right they must be recognized as the rightful owners of the land following the traditions of the African people. We say that we are creating African socialism in the country and this means that we have to respect the traditions, usages and customs of the people whenever we have a project in mind. Tribalism at its best is true African socialism, but tribalism at its worst is destruction of the country. Autonomy: we are not asking for autonomy. We are only asking that we should be consulted every time some new project is to be carried out in our area. With the one word "Harambee", we should push ahead for the development of the country. We do not want the project to be removed, we want it to be expanded so that there is employment for our people and for other people as well. When I say "our people", I mean the people of Kenya, not necessarily my tribesmen alone.

Within the scheme the position is ambiguous; ambiguous in the sense that it does not embody the spirit of the people. We have no dispensaries around us and there are over two thousand tenants with their families within the area. There are no nursery schools and, above all, there is no social hall. In a project which is carried out by the

[Mr. Gichoya]

Central Government, and which is self-supporting, all the people within the scheme, such as technicians, are not paid by the Central Government at all. They are paid by the sweat of the tenants and by the produce that is realized from it. Because the scheme is at present not successful we have to transport our rice to Thika or Nairobi for processing, and at the same time maintain two factories in Mombasa. Of course, it is quite a good idea. My question is, this—these factories owned by the Government so that we can feel that it is for the social good that these factories are established where they are? As far as I know they are private enterprises.

Therefore, Mr. Speaker, Sir, I today request the Government, my Government, that they should have a factory within Mwea/Tebera either owned by our people or owned by the Government itself for processing rice, rather than we should grow the rice, send it somewhere else for processing, and then have it sent back to us for consumption. Thereby we do not reap the benefits of the crop. We provide employment for factory workers elsewhere. In some cases our people go about naked; in some cases they are landless. If there is a factory nearby or within the same area, surely they will have something to live on.

Mr. Speaker, a project today which does not take into account either the spirit or the traditions or the people has no fundamental value. I do not believe in regional institutions. I believe in local institutions and Central Government institutions. I believe in local institutions and Central Government institutions. Authority should be given to our county council, the Kirinyaya County Council, and the Central Government should guide us in carrying on the work of production within Mwea/Tebera.

I would very sincerely request the Minister not to carry out the orders that existed during the days of the Emergency. Let the existing orders be revised and altered to suit the present conditions of the people. People are being resettled but the resettlement is being directed to the lands which previously used to be owned by settlers. In Kirinyaya we had strong leaders during the days when the Europeans came to this area, but not a single European, save one, was allowed to settle. Likewise in Ndia or Gichiga. There is no settlement apart from Government institutions such as missions, the Agriculture Department, the District Commissioner and the regional representative. During the war for *uhuru*—or the reclamation of land, or getting back our land—we fought and lost so many lives. Now these lands are occupied by others. We are not saying that the people must be

resettled in lands which are available at present but that our people must be resettled in their own lands in Mwea which is their's by right and by all standards. Apart from the new aspect of the Emergency which denied them that right, we must now look to the establishment of our right accepted by the Government of Kenya by which we will live happily.

We must encourage the expansion of the scheme in order to bring about more social facilities for the happiness of the people of Kirinyaya and those of Kenya.

With these few words, Mr. Speaker, I wish that the Minister must give back our Mwea.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osoyo): Thank you very much, Mr. Speaker, I rise to support the Vote and to put a few points to the Minister for Settlement which I hope he will answer when he is answering the Vote. I think he is represented here by his Parliamentary Secretary.

Mr. Speaker, Sir, when we debated a few days ago, in this House, about resettling some of the landless people in the Nyarua Province who have been displaced by the rising level of water in Lake Victoria; we were not given assurance by the Minister as to how he is going to settle these people. I take this opportunity, and I hope the Minister too will take it, to make it clear so that we are not left in darkness about what is going to happen to these landless people. We are told that his Ministry deals with the Scheduled Areas and not the Non-scheduled Areas. One is left to think that the people in the Scheduled Areas are the only ones who are suffering from landlessness. Are the people in the Non-scheduled Areas also not suffering? I think, Mr. Speaker, that the people in the Non-scheduled Areas, who have been forgotten, do suffer more.

I am putting it to the Minister that in the Development Supplement page 5, Head D3, sub-head B5, there is an allocation of £25,661 for the irrigation of the Yala swamp. I would like the Minister to take note of this and allocate some more money to this, and not call it pilot irrigation of the Yala swamp, but drainage of the Yala swamp, so that these landless people who have been evacuated or who have left their homes in the swamp area could settle on this land after it has been drained. When the Minister replies to this, Mr. Speaker, I shall be grateful, and many other people I am sure, especially the hon. Member for Winam who moved this Motion a few days ago, will be most grateful, if the Minister would mention something about settling the people in Kano Location, Bunyala Location and
(The Debate continues)

[The Parliamentary Secretary for Agriculture and Animal Husbandry]
Sania Location, who are now landless to places which are now filled with water. If the Minister took the trouble to scrape a few pounds from each subhead in his Ministry he would, I am sure, get enough money to do something in the coming year for these people so that they are settled. We should be sympathetic to these people.

I have said here, and very strongly too, that these people have gone without food for three years and I think that they should be settled somehow. I am sure there was nobody to put the case here before. I am inviting the Minister, plus some experts to take them to this place to show them how they can drain it, and if the experts will agree they can go ahead and drain the swamp. Then the people who are now landless can settle there. It is sad, Mr. Speaker, that if anyone went there now, he would find the people in huts, without any food without anything because it has all been washed away by water. What are we going to do about these people? Are we going to leave them to luck and chance and probably providence or are we, as a Government, going to think about them and not talk of Scheduled and Non-scheduled Areas? Are we going to look into their case and try to settle them through this Ministry. I think, Sir, that the time has come when these people are represented in this House and the Government will now look into this case and see what can be done for them.

I do not want, Sir, to waste the time of the House but I would like to put it very specifically so that when the Minister replies, or probably the hon. Parliamentary Secretary my colleague replies, he will clarify exactly the position of these people so that the country and the people will know exactly where they stand with this Government and know what the Government is going to do for them.

With these few remarks, Mr. Speaker, I support the Vote.

Mr. Ngei: Mr. Speaker, Sir, it has been suggested by the Member, Mr. Gichoya, that in Mwea/Tebera there has been some invaders particularly in—

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): On a point of order, Mr. Speaker, it is in order for the hon. Member to make a second speech in this debate?

The Speaker (Mr. Slade): Oh no, if you have spoken once in this debate on Land Settlement you cannot have a second chance.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): On a point of explanation, Mr. Speaker, I have all Mr. Ngei's remarks noted here with my proposed replies. I am afraid he has spoken. I would like to say that I am always only too pleased to hear what the hon. Member has to say on settlement, because I know it is a matter which is very close to his heart, I am always willing, of course, to discuss the problems of settlement with him but I do feel, Sir, that he is in fact out of order in the House in asking to speak a second time.

Mr. Ngei: Mr. Speaker, I do not recall actually speaking but if it happened that I spoke then I am a victim of the ruling.

The Speaker (Mr. Slade): If Mr. Marrian has notes of what you said, you must have spoken before.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Would the hon. Member like me to remind him of what he said, Sir?

The Speaker (Mr. Slade): No, not now.

Mr. Wamuthenga: Mr. Speaker, Sir, I rise to support the Motion. I think that there are a number of points connected with the land question, as well as with the emergency many things I know that during the emergency many things went wrong. I do not think that the time to square everything up which went wrong during the height of the emergency can be dealt with point by point. However, I emphasize that land belonged to Ndia and the Guchugu should be utilized and be made productive.

I agree with my hon. Member who has been speaking about it, but there is something which I cannot support; any disruption of economical plans which has been carried out there and is still in existence. The economics of the country are depending mostly on those plans which were carried out during the Emergency and I do not think that those items which are improving the economics of the country are liable to be demolished or to be interrupted.

I agree that if the owners of the land are given it back they will go on improving it and produce more to help the economics of the country. Moreover, there are many things lacking in the allegation: I know—in Mwea/Tebera—that the machine, which could carry on the production of the rice which is being produced there, is missing. The rice is being transferred into a distant machine which threshes it and makes it clean, and I wish that such a machine could be bought and placed in the Mwea/Tebera area where the irrigation is in existence.

[Mr. Wamuthenya]

The money question, of course, is one problem, but I think the Government will try its level best because we are claiming that we are lacking employment in the country. I think the Government will try to see whether we can get some surplus money to do something which is very important in such a part of the country. The inhabitants are living at a very low stage of development. They were told if we know any remote area where something has been started to be carried out, it is satisfactory and can produce something and will not wreck the country. I think this can be assisted. We are now trying to see about the settlement schemes. Why? Because we want to see that everybody is living happily in this country. If such a plan has already been flourishing, I think the Government will be in a position to encourage it and employ more people or extend the irrigation, and then more people will come in. I do not mean that the original owners should be uprooted and other people should come in, but I think our brothers will be generous and allow any other person who if they do not feel at all that their place will be taken by somebody whom they do not like. However, I think they would like every African to be anywhere in this country without having these sorts of divisions.

With these remarks, Mr. Speaker, Sir, I am supporting the Motion on the improvement of the Mwea/Tebera irrigation and trying to bring a machine which is required to carry out every useful section of utilization.

Mr. Bomett: Mr. Speaker, Sir, I wish to speak about Perkerra irrigation scheme, which is a heaven surrounded by a hell of hungry and miserable people.

The Perkerra irrigation scheme, Sir, although it needs a lot of expansion, has done quite a lot to give a livelihood to a number of Tugen and Njempis people. However, Sir, I still feel that this irrigation scheme could be greatly expanded; there is great room for expansion. I feel that the waters of the Perkerra River have not been properly controlled. During the floods, there is quite a volume of water which flows to Lake Baringo and it is wasted. If a big dam could be built somewhere to arrest the flow of the water during the floods, the acreage which could be brought into irrigation could be greatly extended, which would mean that, instead of the present number of around 5,000 families being given a living by this irrigation, the number could be greatly increased. The Tugen who live in the hills and the Njempis who live around the Lake

require some assistance and this would be the answer.

Sir, we were told by the Minister that the work of the Ministry is only within the Scheduled Areas, but I still think that the work of this Ministry should be carried out throughout the country of Kenya.

QUORUM

Mr. Ngel: On a point of order, Mr. Speaker, I am just wondering whether we do have the required twenty Members in the House.

The Speaker (Mr. Slade): I make it just twenty.

Mr. Bomett: Mr. Speaker, Sir, if there is a case for changing the Constitution of Kenya, here is the chance to change that Constitution which has been imposed on us, in that we are not able to improve the land within the African land unit. This is a very bad thing, because there is quite a lot of land within the African land units which can be irrigated, and Africans can be settled within those particular districts. For example, the Kerio Valley, the land which lies between Elgeyo and Tugen, is quite suitable for agriculture only it is very dry, but there is a large river, the Kerio, that flows throughout the year and can also be used for irrigation. What a pity the Ministry of Settlement cannot do anything, because the Constitution hampers it. Sir, I feel this Constitution must be changed to allow this Ministry to work everywhere in Kenya.

I would like to touch on the Lembus Settlement Scheme, and I am not quite sure if this Lembus Settlement Scheme comes under the Ministry of Settlement. It was under that Ministry before, but I do not know whether it is now, but all the same the settlers on this particular settlement scheme, which was formerly included in the African Land Unit, claimed that this land was returned in 1957—it was formerly part of the White Highlands—claim that this land has not been developed altogether. Up to this moment the scheme is only starting. The roads in this area are very bad and although there are some settlers on this land they find it extremely difficult to carry the produce to the towns because the roads are so bad. On this settlement scheme, Sir, the people have a lot of quarrels over the actual conditions which were laid down for settling the people in that area. They quarrel about the boundaries that divide the settlement areas from the forest areas. The boundaries were fixed by force by the local officers without the people's agreement. We feel, Mr. Speaker, Sir, that where there are boundaries to be fixed the people must be consulted.

[Mr. Bomett]

I should like to talk about the officers who are employed by the Ministry. It has already been mentioned that some officers—old officers—who have failed in life as farmers are employed to run these settlement schemes. I know, Mr. Speaker, Sir, of a particular farmer who failed because he was a drunkard, his farm was sold and he was declared a bankrupt. I am told that he is now employed—but not, of course, on the Lembus Settlement Scheme—somewhere else, where he is Mr. Speaker, Sir, the selection of these officers should be very carefully done and I feel there are quite a number of capable Africans, or Asians for that matter, who can do this job, and they must be given the opportunity. I do not see why an officer, who draws quite a lot of money—say Sh. 1,500 a month—should be employed when there is a capable trained African from Siriba or elsewhere who can live on Sh. 800 a month, and does not need to use a Land-Rover, which consumes a lot of petrol.

With these few remarks, Mr. Speaker, Sir, I beg to support the Vote.

Mr. Seroney: Mr. Speaker, Sir, I have a lot of sympathy for some of the remarks made by the hon. Specially Elected Member who has just spoken. I would like to correct one thing he said with reference to the Constitution. There is nothing in the Constitution, as far as I am aware, which prevents the Government from removing the original anomaly where most of the assistance in the way of loans was given to the Scheduled Areas. The fault is the Government's and not of the Constitution.

We are anxious to ensure that farmers throughout Kenya are treated on an equal basis, we do not want to perpetuate the old anomaly where people were guaranteed assistance. Then we had this ridiculous Swynnerton plan which only gave Africans a little money, Sh. 2,000 or Sh. 1,000, with which you cannot really do anything. I would suggest that instead of the hon. Specially Elected Member attacking the Constitution he should urge his own Government—the Minister for Finance and the Minister for Agriculture—to make suitable provisions for assisting farmers in the Non-Scheduled Areas. This is not a Constitutional issue, it is a matter which could be rectified by the Government if it so wished. They can do that as an African Government because a lot of settlers, some of whom have left and some who are still here, were given considerable assistance by the Government by way of guaranteed minimum returns by way of loans, and if that system still goes on the Government

can blame nobody else except itself. There is no reason why the present Government cannot alter the policies of the last Government.

Mr. Speaker, Sir, it has been said on several occasions that we must warn against over-fragmentation of big holdings as it is injurious to the economy of this country. I entirely endorse those views. The people in my Constituency are not interested in small holdings; they want economic holdings which can assist the economy of this country instead of ruining it.

I endorse the sentiments of the last speaker, the hon. Specially Elected Member, with regard to the settlement officers. I was one of the first guinea pigs as far as the settlement schemes were concerned, as the first settlement scheme was instituted in my former Constituency, when I used to be the Member for Nandi. Members on both sides of the House in those days were a bit scared of coming out boldly to tell their people that they could get nothing for nothing, that they could not expect land for free. It fell on me gradually to educate the people of the Nandi district to realize that if they wanted farms, they must buy them. If they wanted farms in the Kiambu district they had to buy them, and that there was no difference between land in the Kiambu district and land in Uasin-Gishu or other settled areas. We were landed, Mr. Speaker, Sir, with a settlement officer who used to own a farm nearby. I did challenge the then Minister for Settlement, the hon. Specially Elected Member, Mr. Bruce McKenzie, to tell us why it was necessary to appoint an ex-settler to supervise the settlement in an area which included his farm. The answer I got was very unsatisfactory, he disclaimed responsibility for that appointment and blamed it on the Civil Service.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, it appears that that is a rather serious allegation against a colleague of mine, and I wonder if the hon. Member would substantiate.

The Speaker (Mr. Slade): I think when an hon. Member is talking about a conversation to which he held a part, he cannot go any further in substantiation than his own words for what was said. The only answer is for the hon. Member concerned on the other side to refute it by his own word, if he feels so disposed.

Mr. Seroney: Thank you, Mr. Speaker. I was not imputing any improper conduct as far as the Minister was concerned, in fact the appointment had taken place before the Minister was appointed himself after the Lancaster House

[Mr. Seroney] agreement. This settlement scheme was started in 1961, before the hon. Minister who is now the Minister for Agriculture, became the Minister in charge of Settlement in the last Government.

I understood both on the ground and also here, that this officer was appointed because he had some tea seedlings which the Government refused to buy and therefore he was allowed to remain there and sell them himself, and, in addition, he was made the settlement officer of the area. I would be very glad if any hon. Member opposite can contradict that.

Mr. Speaker, Sir, my hon. friend, the Member for Narok East, recently used one term which he did not quite explain; that was the term "rocket". Mr. Speaker, we are now talking about the impression which is created in the minds of our constituents when they see these settlement schemes. If hon. Members will refer to the Estimates of Recurrent Expenditure they will find that the two largest items are personal emoluments and overseas leave expenses. A lot of money is spent on salaries and overseas leave expenses which amount will, eventually, have to be met by the new settlers who are supposed to be repaying over a period of anything up to thirty years.

There is also another aspect and that is with regard to the sale of cattle. The Settlement Board buys cattle, for high prices in order to ensure that the settlers who want to go, get high prices and they precede the African settlers—and I am referring particularly to the Lessos Settlement Scheme—from getting grade cattle much cheaper than at the price which the Settlement Board is offering.

QUORUM

An Hon. Member: On a point of order, I wonder whether we make a quorum?

The Speaker (Mr. Slade): It is too late to worry because it is close upon the interruption of business. Will you continue another day, Mr. Seroney?

Mr. Seroney: Yes, Mr. Speaker.

ADJOURNMENT

The Speaker (Mr. Slade): Therefore, the House is now adjourned until Tuesday, 16th July, 1963, at 2.30 p.m.

The House adjourned at thirty minutes past Twelve o'clock.

Tuesday, 16th July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

The Royal National Parks of Kenya (Photography) (Amendment) Regulations, 1963.
The National Reserve (Amendment) Regulations, 1963.

The Tsavo Royal National Park (Amendment) Regulations, 1963.

(By the Parliamentary Secretary for Natural Resources (Mr. Njiriri))

(On behalf of the Minister for Natural Resources (Mr. Sagini))

The Kenya Regiment (Combined Cadet Force) (Amendment) Regulations, 1963.

(By the Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh))

(On behalf of the Minister of State (Prime Minister's Office) (Defence) (Mr. Murumbi))

NOTICES OF MOTIONS

REDUCTION IN BILLS PUBLICATION PERIOD

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT the period between the publication of the Land and Agriculture (Amendment) Bill, 1963, and the Dairy Industry (Amendment) Bill, 1963, and their introduction into this House be reduced from fourteen days to seven days.

GUARANTEE OF LOAN REPAYMENT BY EAST AFRICAN COMMON SERVICES AUTHORITY

The Minister for Works, Communications and Power (Mr. Mwanjumbaa): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House agrees that the Government of Kenya shall guarantee, jointly and severally with the Governments of Tanganyika and of Uganda, the repayment of a loan of £2,050,000 made to the East African Common Services Authority by Her Majesty's Government, together with interest thereon.

COMMERCIAL PRODUCTION OF NUBIAN GIN

Mr. Bala: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Minister for Commerce and Industry and Health and Housing to appoint a committee of experts to consider the commercial production of Nubian Gin in a form not harmful for human consumption.

REVIEW OF LOANS TO AFRICAN TRADERS

Mr. Malinda: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to review the existing regulations governing loans to African traders and artisans with a view to amending the anomalies therein and to make it less cumbersome for African traders to obtain more loans.

INTRODUCTION OF HIGH EDUCATION PROGRAMME

Mr. Wamuthonyi: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to take immediate steps to introduce a programme of higher education for the innumerable children deprived of the opportunity of pursuing their studies on account of the lack of facilities and accommodation.

ORAL ANSWERS TO QUESTIONS

Question No. 9

KAIMOSI FOREST FOR LANDLESS TIRIKI

Mr. Godia asked the Minister for Lands and Settlement: Will the Minister in consultation with the local administration consider allowing use to be made of the reserved Kaimosi Forest for the landless Tiriki in the densely populated Hamisi Constituency?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I beg to reply.

Bearing in mind the vital part played by the Forest Reserves in the Kaimosi area (which are not in the Scheduled Areas) in the protection of water supplies in the north and central Nyanza districts, and in the protection of the land from soil erosion, and also the great value to the Country of the stocks of timber and other forest produce contained in those forests, Government cannot agree to reserved forests in the Kaimosi area being utilized for the settlement of landless Tiriki of the Hamisi Constituency.

Mr. Godia: Mr. Speaker, Sir, arising from that answer, has the Minister any plans for settlement of the densely populated people of Tiriki who have nowhere to stay?

The Speaker (Mr. Slade): This is a specific question. Mr. Godia, which refers only to use of the Kaimosi Forest. The problem of landless people in general is not relevant.

Mr. Godia: I would like to know from the Minister if according to his own answer he is sure the answer has the support of the people in that area?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I do not know.

Mr. Murgori: Mr. Speaker, Sir, could the Minister tell us whether that Forest is a protected forest or a productive forest?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, the hon. Member must go to school once again. It is a protected forest.

Mr. Ngala: Mr. Speaker, Sir, could the Minister explain what a protected forest is? I thought the hon. Members asked for productive forest.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, it is a forest which the Government takes care of.

Mr. Murgori: I feel I am not satisfied with the Minister's reply. Could he tell us whether that Forest is a protective forest or a productive forest?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, it is both.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodiakh): On a point of order, Mr. Speaker, as regards protective and productive, does the hon. Member really mean protected?

The Speaker (Mr. Slade): That is not a point of order.

Mr. Malsori-Imbor: Mr. Speaker, Sir, is the Minister aware that while these people of Hamisi are landless, there is plenty of land in the Rift Valley occupied by the settlers?

The Speaker (Mr. Slade): That has nothing to do with this question.

Question No. 24

DISPLACED PEOPLE: LAKE VICTORIA 1961 FLOODS

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osoyo): Mr. Speaker, Sir, the Minister for Lands and Settlement: Will the

Minister tell the House what his Ministry is doing about the people who have been displaced from their homes in Bunyala and Samia Locations owing to 1961 floods and high level of water in Lake Victoria?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. My Ministry is very conscious of the problems of those in the Western Region displaced by the high level of Lake Victoria. The Government is purchasing land in the Scheduled Area in the Western Region as rapidly as its resources allow. Already it has purchased 52,203 acres and a further 29,579 will be purchased this year. The choice of settlers is, of course, the responsibility of the Regional Authority.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osoyo): Mr. Speaker, Sir, arising from the answer, can the hon. Parliamentary Secretary tell this House whether it is possible to drain the swamps, so that these people can be settled in the place which is now waterlogged?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I shall be referring in answer to the Settlement Debate, to the question of the Yala irrigation and drainage scheme.

The answer to the hon. Parliamentary Secretary is that there is a pilot scheme for which some £25,000 has been made available, which, although it is the Voice of the Ministry of Lands and Settlement, in fact has now been moved across to my hon. colleague, the Minister for Agriculture and Animal Husbandry, who will, no doubt, deal with it in due course. In the event of this drainage and irrigation scheme being successful, it would be hoped that a further 15,000 acres could be treated in the same way at a cost of approximately £1½ million, if the Government is successful in interesting private enterprise in such a scheme.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osoyo): Mr. Speaker, Sir, is the Parliamentary Secretary prepared to tell this House that he is going to send a mission to this place to find out exactly what is happening to these people?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I do think that the Ministry of Lands and Settlement is circumscribed to some extent in this regard. We are responsible for settling land

[The Parliamentary Secretary for Lands and Settlement]

chosen by the Land Settlement Board, with people selected by the local people. There is, I think, a suggestion in the question that we can solve any landless or unemployment problem in the Ministry. Mr. Speaker, we cannot do this, we can only play a part—I hope a significant part—in the solution to this problem, but we cannot do everything, and I do not feel that it is up to the Ministry of Lands and Settlement to send a commission in this regard. We will naturally consider any submissions made from the local people themselves.

Mr. Agari: Mr. Speaker, Sir, in view of the fact that the people who are displaced by floods suffer from diseases caused by mosquitoes, would the Minister tell us that this phrase "as rapidly as possible" means they will get land before the next rainfall in March?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I can give no such assurance.

Mr. Murgori: Mr. Speaker, Sir, arising from a previous reply, the Minister said it is between the Central Region and the Western Region, would the Parliamentary Secretary tell us whether he has consulted the Western Region about the settlement of these people?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I do not understand the question. What does the hon. Member mean when he says "between the Central Region and the Western Region"? If he could elucidate his question, I would be able to answer it perhaps.

Mr. Speaker, Sir, in that case there is no question of asking anybody's permission in this regard. The Western Region is responsible for the selection of the settlers it wishes to place on settlement schemes.

Mr. Ndie: Mr. Speaker, Sir, could the Parliamentary Secretary tell us the number of people involved in these plans?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): No, Sir.

Question No. 34

PUBLIC FUNDS FOR THE REPURCHASE OF FARMS

Mr. Josiah Kariki: Mr. Speaker, Sir, in view of the fact that certain farmers are selling land

in one area and then applying for loans to purchase farms in another area, will the Minister assure this House that no public funds in the form of loans will be made available, either directly or indirectly for such purposes?

The Minister for Finance and Economic Planning (Mr. Gichuru): No, Sir.

Mr. J. M. Kariki: Mr. Speaker, Sir, does the Minister agree that if a farmer has sold his farm to the Settlement Board for cash he should be able to buy a new farm, if he so desires, without seeking help from the World Bank?

The Minister for Finance and Economic Planning (Mr. Gichuru): The answer is not that simple, Sir. What we are making sure of is, if a farmer sells his farm and wants to buy another one and he is a good farmer it is approved. If this farm is very heavily mortgaged, after deducting his expenses, he can then borrow from the Bank, but he must never sell his farm, then, say, send his proceeds to Europe and then try and borrow money to buy another farm. I can assure the hon. Member who asked the question that such a farmer would not get a loan. I can assure the House that we are determined that those good farmers—farmers who contribute so very well to the economy of the country—should obtain farms in areas where they choose so that they can continue to contribute to the economy of this country.

Mr. J. M. Kariki: Mr. Speaker, Sir, arising from the reply I would like the Minister to tell the House how does he justify the use of the limited financial resources available to this country for helping rich farmers, whatever their race, whilst there are many landless people who cannot be resettled because the Government has not got enough money—

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I think the hon. Member is getting mixed up and is in a muddle. There is money for settlement, money that is set aside for settlement. When we were in London with the Minister for Settlement last year, we did negotiate for special money for this particular purpose, that is giving loans for people not capable of buying land on their own and who want to buy these farms. This money has been lent to us and is controlled by the Land Bank.

Mr. Agari: Mr. Speaker, Sir, I am not quite clear about how the Minister could check whether a farmer has sent part of his proceeds to Europe and has left some here. How does he check on these people?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, if a farmer sells his farm and gets £10 for it and then wants to borrow £10, whilst the farm he wants to buy only costs £5, then we shall definitely find out what he did with the balance, the extra £5. If he cannot satisfy the Land Bank, then he will not get the money at all.

Mr. Shikuku: Arising from the Minister's reply, how does he know that this £5 has been sent overseas?

The Minister for Finance and Economic Planning (Mr. Gichuru): My reply, Sir, was very simple. This fellow gets £10 for his farm and wants to buy a farm for £10 and therefore there is no need for a loan, and yet he comes along and says he has only £5 and he wants to borrow an extra £5. Then the question is, "We gave you £10, what has happened to it?" If the hon. Member cannot understand that I am afraid I cannot help him.

Mr. Shikuku: It appears the hon. Minister has not understood my question. Is there any proof that the £5 is not in Kenya and that the said amount has been sent overseas? That is the question the Minister should reply to.

The Speaker (Mr. Slade): The Minister has answered this question quite clearly.

Mr. Malsori-Itumbor: Mr. Speaker, Sir, arising from the Minister's reply does he agree with me that this is a sort of trade, selling one farm and getting more land to buy while many people are without land?

The Speaker (Mr. Slade): The Minister has answered that question.

I would like to remind hon. Members that Mr. Pandya is to raise a matter on the Adjournment today.

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Speaker (Mr. Slade) left the Chair)

IN THE COMMITTEE

(The Chairman (Mr. de Souza) took the Chair)

THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) BILL

(Clauses 2, 3, 4, 5, 6, 7, 8 and 9 agreed to)
(Clauses 10, 11, 12, 13, 14, 15, 16, 17 and 18 agreed to)

(Title agreed to)

(Clause 1 agreed to)

THE REGISTERED LAND BILL

Clause 2

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 2 be amended as follows:—

(a) in paragraph (b) thereof, by leaving out the word "and";

(b) in paragraph (c) thereof, by adding at the end thereof the word "and";

(c) by adding at the end thereof a new paragraph as follows:—

(d) all land which from time to time is set apart under section 198 or section 199 of the Constitution.

Mr. Chairman, section 198 is the setting apart by the County Council of trust land in the special areas, and section 199 is the setting aside of trust land for the Kenya Government for regional purposes.

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted be inserted was put and carried)

(Clause 2, as amended, agreed to)

Clause 3

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 3 be amended:—

(a) by inserting, immediately after the definition of "chargor", a new definition as follows:—

"county council" means—

(a) in relation to trust land, the local authority in which the trust land is question is vested; and

(b) in relation to other land, the county council in whose area of jurisdiction the land is situated;

(b) by inserting, at the end of the definition of "periodic tenancy", the words "or the like";

(c) by inserting, immediately after the definition of "proprietor", a new definition as follows:—

"Regional Assembly" means the Regional Assembly for the region in which the land in question is situated.

(Question of the amendment proposed)

(The question that the words proposed to be inserted, be inserted, was put and carried)

(Clause 3, as amended, agreed to)

(Clauses 3, 5, 6, 7, 8, 9 and 10 agreed to)

Clause 11

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 11 (2) be amended by leaving out the words "(including the Trust Land Board)".

(Question of the amendment proposed)

(The question that the words to be left out, be left out was put and carried)

(Clause 11, as amended, agreed to)

Clause 12

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that clause 12 (2) be amended:—

(a) by leaving out paragraphs (a) and (b) thereof, and by inserting in place thereof three new paragraphs as follows:—

(a) the Governor on behalf of Her Majesty in right of the Government of Kenya as the proprietor of all Crown land in the area;

(b) a region as the proprietor of all land which is vested by or under the Constitution in that region; and

(c) the relative county council as the proprietor of all trust land in the area; and that clause 12 (3) be amended by leaving out the words "Trust Land Board", in both places where they appear and by inserting in place thereof in each case the words "county council".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 12, as amended, agreed to)

(Clauses 13, 14, 15, 16 and 17 agreed to)

(Clauses 18, 19, 20, 21, 22, 23, 24, 25 and 26 agreed to)

(Clauses 27, 28, 29, 30, 31, 32 and 33 agreed to)

Clause 34

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I

beg to move that clause 34 be amended by adding at the end thereof the words "unless the Registrar is satisfied that they cannot be produced".

(Question of the amendment proposed)

(The question that the words to be added be added was put and carried)

(Clause 34, as amended, agreed to)

(Clause 35 agreed to)

Clause 36

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that clause 36 be amended by leaving out subsection (2) thereof, and by inserting in place thereof a new subsection as follows:—

(2) Any person may require an official search in respect of any parcel, and shall be entitled to receive particulars of the subsisting entries in the register relating thereto, and certified copies of any document or of the registry map or of any plan filed in the registry.

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 36, as amended, agreed to)

(Clause 37 agreed to)

Clause 38

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that clause 38 (4) be amended by leaving out the words "Where any land registered under this Ordinance in the name of the Trust Land Board", and by inserting in place thereof the words "Where any trust land registered under this Ordinance in the name of a county council".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 38, as amended, agreed to)

(Clauses 39, 40, 41, 42 and 43 agreed to)

Clause 44

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 44 be amended by leaving out the word "interest" and by inserting in place thereof the word "interests".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the word to be inserted in place thereof be inserted was put and carried)

(Clause 44, as amended, agreed to)

(Clause 45 agreed to)

Clause 46

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 46 be amended (a) in subsection (1) (a) and (b) thereof, by leaving out the words "an indeterminate", and by inserting in place thereof in each case the words "a periodic"; (b) by leaving out paragraph (1) (c) thereof, and by inserting in place thereof a new paragraph as follows:—

(c) The period of a periodic tenancy created by this subsection shall be the period by reference to which the rent is payable, and the tenancy may be determined by either party giving to the other notice, the length of which shall, subject to any other written law, be not less than the period of the tenancy and shall expire on one of the days on which rent is payable;

(d) by inserting in the marginal note thereto, immediately after the word "indeterminate", the words "and periodic".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 46, as amended, agreed to)

Clause 47

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 47 be amended by leaving out the word "registered", and by inserting in place thereof the word "completed".

(Question of the amendment proposed)

(The question that the word to be left out be left out was put and carried)

(The question that the word to be inserted in place thereof be inserted was put and carried)

(Clause 47, as amended, agreed to)

(Clauses 48, 49, 50 and 51 agreed to)

Clause 52

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 52 be amended by leaving out the words "an indeterminate", in both places where those words appear, and by inserting in place thereof in each case the words "a periodic".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 52, as amended, agreed to)

(Clause 53 agreed to)

Clause 54

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 54 (h) be amended by leaving out the words "which consent, however, shall not be withheld unreasonably", and by inserting in place thereof the words "but such consent shall not be unreasonably withheld".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 54, as amended, agreed to)

(Clauses 55, 56, 57, 58, 59, 60 and 61 agreed to)

Clause 62

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 62 (5) be amended by leaving out the word "sublease", and by inserting in place thereof the word "sublessee".

(Question of the amendment proposed)

(The question that the word to be left out be left out was put and carried)

(The question that the word to be inserted in place thereof be inserted was put and carried)

(Clause 62, as amended, agreed to)

(Clauses 63, 64, 65, 66, 67 and 68 agreed to)

Clause 69

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 69 (f) and (g) be amended by leaving out the words "which consent however shall not be withheld unreasonably", and by inserting in place thereof in each case the words "but such consent shall not be unreasonably withheld".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 69, as amended, agreed to)

(Clauses 70, 71, 72, 73, 74, 75, 76, 77 and 78 agreed to)

Clause 79

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 79 be amended by leaving out the words "or the Land Development and Settlement Board", which appear in the proviso thereto, and by inserting in place thereof of the words "or the Settlement Fund Trustees".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 79, as amended, agreed to)

(Clause 80 agreed to)

Clause 81

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 81 (1) be amended by leaving out the words "whether wholly or in part, shall be made by an instrument in the prescribed form, or", and by inserting in place thereof the words "whether of the whole or of a part of a charge, shall be made by an instrument in the prescribed form, or (if of the whole)".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 81, as amended, agreed to)

(Clauses 82, 83, 84 and 85 agreed to)

Clause 86

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 86 be amended by leaving out the words "the written statement mentioned in section—of the Rating Ordinance", and by inserting in place thereof the words "a written statement by the authority that all rates and other charges payable to the authority in respect of the land for the last twelve years have been paid".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 86, as amended, agreed to)

(Clauses 87, 88, 89 and 90 agreed to)

Clause 91

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 91 be amended by leaving out the word "of", and by inserting in place thereof the word "by".

(Question of the amendment proposed)

(The question that the word to be left out be left out was put and carried)

(The question that the word to be inserted in place thereof be inserted was put and carried)

(Clause 91, as amended, agreed to)

(Clauses 92, 93 and 94 agreed to)

Clause 95

The Parliamentary Secretary for Lands and Settlement (Mr. Marrion): Mr. Chairman, Sir, I beg to move that clause 95 of the Bill be amended by adding at the end thereof a new subsection as follows:—

"Notwithstanding the provisions of this section or of any other written law, any agreement, condition or registration contained in any instrument (whether executed before or after the commencement of this Ordinance), whereby persons who are members of a particular race or who are not members of a particular race are prohibited or prevented from owning or from occupying any land or from acquiring an interest therein shall be void."

Mr. Chairman, Sir, I would like to say a word on this amendment. It was decided that we should make use of this Registered Land Bill to bring to an end, by law, any restrictive covenants over land. There was a White Paper brought to this

[The Parliamentary Secretary for Lands and Settlement]

House—I think it was in 1961—in which restrictive covenants in future were made illegal. The Government has felt that it is more appropriate to the period of internal self-government followed by independence that any form of racially restricted land is out of context with what has happened in Kenya, and that by law we should remove the legality of such a racially restricted covenant.

This Bill, as I explained when I moved it, applies to the special areas at the moment and will progressively apply to all land throughout the country as and when we are able to move on to the new Register. It could be argued, therefore, that the restrictive covenant is itself restricted by virtue of the fact that the Bill does not apply to all land immediately. However, this is now the main Land Bill and will, eventually, cover all land in Kenya, and Government feels that by bringing this amendment forward here it has made its intention perfectly clear as regards racially restricted covenants.

(Question of the amendment proposed)

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamwaya): Mr. Chairman, Sir, I would like to support the amendment. The restrictive covenants on land, as a matter of fact, were out of date and they were contrary to the spirit of the Lancaster House Constitution. It is surprising that at this stage the Leader of the Opposition has decided to keep quiet about this decisive step which the Government has taken. However, we on this side of the House, welcome the removal of these restrictive covenants and ask that the amendment should be supported.

(The question that the words proposed to be added was put and carried)

(Clause 95, as amended, agreed to)

(Clauses 96, 97, 98, 99 and 100 agreed to)

Clause 101

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Sir, I beg to move that clause 101 be amended—

(a) in subsection (2) thereof by leaving out the words "Land Development and Settlement Board", and by inserting in place thereof the words "Central Land Board";

(b) in subsection (3) (a) thereof, by inserting, immediately after the word "number", the

words "(whether one or a greater number)";

(c) in subsection (4) thereof, by leaving out the expression "(2)", and by inserting in place thereof the expression "(3)".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 101, as amended, agreed to)

(Clauses 102, 103, 104, 105, 106, 107 and 108 agreed to)

Clause 109

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 109 (2) (b) be amended by leaving out the words "(other than the Trust Land Board)".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(Clause 109, as amended, agreed to)

(Clauses 110, 111, 112, 113, 114, 115, 116 and 117 agreed to)

(Clauses 118 and 119 agreed to)

Clause 120

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 120 be amended—

(a) by leaving out subsection (4) thereof, and by inserting in place thereof a new subsection as follows—

(4) The Registrar shall not give effect to a certificate of succession under this section unless—

(a) the certificate is accompanied by the certificate of the Estate Duty Commissioner that the requirements of the Estate Duty Ordinance, 1963, in regard to the payment of estate duty have been or will be complied with or that no estate duty is payable; and

(b) thirty days have elapsed since the date shown on the certificate of succession.

[The Parliamentary Secretary for Lands and Settlement]

(b) in subsection (8) thereof, by leaving out the words "Trust Land Board", and by inserting in place thereof the words "county council".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 120, as amended, agreed to)

Clause 121

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 121 be amended—

(a) in subsection (3) thereof, by leaving out the words "notification and file it", and shall register the Trust Land Board", and by inserting in place thereof the words "county council" and by adding at the end of subsection the words, ", and shall file the notification";

(b) in subsections (4) and (5) thereof, by leaving out the words "Trust Land Board", and by inserting in place thereof in each case the words "county council".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 121, as amended, agreed to)

(Clauses 122, 123 and 124 agreed to)

Clause 125

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 125 be amended—

(a) by leaving out the words "the Crown or any other person", and by inserting in place thereof the words "any";

(b) by deleting the words "Crown or other".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 125, as amended, agreed to)

(Clauses 126, 127, 128, 129 and 130 agreed to)

Clause 131

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 131 (5) be amended by leaving out the words "noted in the register in respect of the land, lease or charge to which it relates", and by inserting in place thereof the words "registered in the appropriate register".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 131, as amended, agreed to)

(Clause 132 agreed to)

Clause 133

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 133 (4) be amended by leaving out the words "the note thereon in the register", and by inserting in place thereof the words "its registration".

(Question of the amendment proposed)

(The question that the words to be left out, be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 133, as amended, agreed to)

(Clauses 134, 135, 136, 137 and 138 agreed to)

Clause 139

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 139 (3) be amended—

(a) in paragraph (a) thereof, by adding at the end thereof the words "land vested in a Region; or";

(b) in paragraph (d) thereof, by leaving out the words "the Trust Land Board", and by inserting in place thereof the words "a county council".

(Question of the amendment proposed)

(The question that the words proposed to be added be added was put and carried)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 139, as amended, agreed to)

(Clauses 140 and 141 agreed to)

(Clauses 142, 143, 144, 145, 146, 147 and 148 agreed to)

(Clauses 149 and 150 agreed to)

Clause 151

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that clause 151 (1) be amended by leaving out the words "to the Supreme Court", and by inserting in place thereof the words "from the decision of any court (including an African court)".

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The question that the words to be inserted in place thereof be inserted was put and carried)

(Clause 151, as amended, agreed to)

(Clauses 152, 153 and 154 agreed to)

Clause 155

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that clause 155 (2) (c) be amended by inserting at the beginning thereof the word "fraudulently".

(Question of the amendment proposed)

(The question that the word proposed to be inserted be inserted was put and carried)

(Clause 155, as amended, agreed to)

(Clauses 156, 157, 158, 159, 160, 161, 162, 163, 164 and 165 agreed to)

Schedule

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that the Schedule be amended by leaving out the items relating to—

(a) the Trust Land Ordinance;

(b) section 95 of the Agriculture Ordinance;

(c) section 2 of the Land and Agricultural Bank Ordinance;

(d) the Local Government (County Councils) Ordinance, 1952.

(Question of the amendment proposed)

(The question that the words to be left out be left out was put and carried)

(The Schedule, as amended, agreed to)

(Title agreed to)

Clause 1

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that Clause 1 be amended by leaving out the word "Governor", and by inserting in place thereof the word "Minister".

(Question of the amendment proposed)

(The question that the word to be left out, be left out, was put and carried)

(The question that the word to be inserted in place thereof be inserted was put and carried)

(Clause 1, as amended, agreed to)

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that the Committee do report to the House its consideration and approval of the Medical Practitioners and Dentists (Amendment) Bill without amendment and the Registered Land Bill with amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORTS AND THIRD READING THE MEDICAL PRACTITIONERS AND DENTISTS (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Medical Practitioners and Dentists (Amendment) Bill and its approval of the same without amendment.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

Mr. De Souza seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that the Medical Practitioners and Dentists (Amendment) Bill be now read a Third Time.

Mr. De Souza seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE REGISTERED LAND BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Registered Land Bill and its approval of the same, with amendment.

(Consideration of Report ordered for tomorrow)

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 14—LANDS AND SETTLEMENT

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
(Minister for Lands and Settlement on 5th July, 1963)

(Resumption of debate interrupted on 12th July, 1963)

Mr. Seroney: Mr. Speaker, Sir, I referred earlier to the prevalent practice of appointing ex-settlers to be Settlement Officers. My attention has since been drawn to what I can quote as an illustration of what does happen: I refer to the Mbatia Settlement Scheme. Mr. Speaker, Sir, when this scheme started, it was first started with forty-nine plots but has now expanded to 309 plots averaging fifteen acres each. It started with two Settlement Officers both of whom had held their farms, one from Lessos and the other from Lugari. After four months, the one from Lugari went and his place was taken by the wife of the other Settlement Officer. In addition to these two staff officers who are paid, there is also an Assistant Settlement Officer, an African, one clerk who is an African and, of course, several labourers. Mr. Speaker, Sir, I am amazed to see that there is need for two clerks and also for the Settlement Officers because all the donkey work is done by the Assistant Settlement Officer, he does all the veterinary work, he does all the agricultural work and he can be woken up at any time of the night and he is available to the settlers in Mbatia. All the clerical work—book-keeping—is done by the wife of the Settlement Officer and the African clerk does all the clocking-in of the labour. I do not know what the Settlement Officer actually does.

In addition to that, he occupies a ten-roomed house which had been requested for a school but has somehow been refused.

Mr. Speaker, Sir, I also referred to the question of cattle and how the new settlers are at a disadvantage because of the monopoly which the Settlement Board has now virtually assumed. The hon. Parliamentary Secretary says

"question". It is a monopoly because now hardly any African settler can buy by private deal any cattle he wishes to buy because the farmers know that they can get higher price from the Settlement Board. I have an example of a farmer in Tukuruken who wished to sell cattle to African farmers—grade cattle—at Sh. 350. In fact, he sold three of them and he was prepared to subsequently give five cattle in order to reduce the price to Sh. 300 each. Because of this monopoly the price of grade cattle ranges from Sh. 320 to Sh. 600. If this is not an unfair advantage, Mr. Speaker, I do not know what is. There is a supposed justification for this idea of the Settlement Board buying the cattle and then selling them to the African settlers. On the face of it there is nothing objectionable about it. I understand from the headquarters in Nairobi that the idea behind it is that the Settlement Board gets all the available cattle, inoculates them, tests them so as to be sure about their milk yield (so that when the settlers buy them they know exactly what they are going in for, and as far as prevalent diseases are concerned, he is supposed to be given some guarantee). I am afraid, Mr. Speaker, that complaints received indicate that although this may be the ideal course of action here in Nairobi, in other places, the supposed guarantee is not given. The cattle are not even inoculated. They may have been inoculated in the first two cases which affected the cattle that were originally in that specific area. I was assured by the persons responsible here that if the cattle died within a week or so of a particular disease, prevalent at the time, like East Coast fever, and so forth—that they would be replaced. I have met the farmers concerned—in fact, I have one outside in case the Minister wishes to ascertain what I am telling him—and they say that there has been no replacement of cattle which died because perhaps they had not been inoculated before they had been sold to the new settlers. There seems to be a difference between the ideal policy laid down here and those carried out.

I referred, Mr. Speaker, to the fact that this Settlement Officer, who presumably is on contract, occupies a ten-roomed house which could very well serve as a school for the settlement scheme. Now, he has a wife and two children and there is no reason why he cannot perhaps get himself a smaller house in a nearby town like Eldoret, because, in any case, all the donkey work is done by the Assistant Settlement Officer and there is no question of his being called out at night to attend to anything.

Another house has been converted into offices; a third house is in a dilapidated condition and

[Mr. Seroney]

has been offered at a fantastic price and yet no one has bought it and it is lying idle. Mr. Speaker, Sir, I would like to ask a question here. When the farms are bought does the price paid to the farmers include the houses? What in fact is the policy with regard to re-selling these houses? If there is any profit where does it go to and to what purpose is it put? Apparently, when a farm was bought it was bought with the house, and when the price that the new settlers had to pay was assessed, it should, presumably, have been worked out on the price which was paid to the former owner. If there is any profit, not only from this settlement scheme but also from other settlement schemes like Lessos, to what use is the money put?

Again, there is the question of trees. When somebody finds himself with a plot with trees, these trees are either sold to him or to some other person. I would like to ask the same question here with regard to trees as I did with regard to the houses.

Mr. Speaker, Sir, there is one thing which I always come up against. That is this. There appears to be several types of settlement. As far as I am aware I think there should be three. I would like the Minister, when he replies, to specify the three types of settlements as well as the conditions attached to them. I have been amazed because on two occasions I have had to make promises to my constituents that the Government would certainly do something for them and then later on it was discovered that it was all a mistake. It first happened at Lessos.

I would like to make it clear, Mr. Speaker, Sir, that in this debate I am not trying to score against the Government. I am not making this a party issue, I am merely trying to point out anomalies which have taken place as a result of a policy which was certainly not made by this Government, certainly not by the last Government and certainly not made by the previous Government. I leave it to you to draw your own conclusions as to which Government laid down all this policy. It is only a pity that the three Governments were preoccupied with constitutional and other issues and did not have time to attend to this matter which is so vital to the interests of our fellow Africans.

So I would like to assure the hon. Parliamentary Secretary that I am not blaming him or his immediate predecessors for any of the things which I am going to say. It is just a chain reaction which has been created and it is now time that we should arrest it, and we on this side of the

House beg of the opposite side not make this a party issue. I am perfectly aware that criticisms have come in from the other side of the House, criticisms which we are not gloating in the way that we were not scoring points on this side. We are not trying to make the Government uncomfortable, all we are saying is that we should all investigate to find out what is wrong in these settlement schemes, so that we can put it right, because we should have our fellow Africans who are landless resettled as cheaply as possible and we should not create an impression that this is just a device to exploit them or it is a racket to create jobs for the boys.

Mr. Speaker, Sir, as I was saying before I was interrupted, I would like to know the various types of settlement. I stated that when the Lessos settlement scheme was first started and we were told that the new African settlers would get an average of 20 acres on a scheme which was classified as a high-density scheme, and the deposit for entering as a settler was Sh. 700, including stamp duty, I persuaded my constituents—as I said, I was the guinea-pig in this case, because that was the very first settlement scheme—to take advantage of this and they, in fact, did. The balance of payment which ranged from Sh. 4,000 to Sh. 6,000 was repayable over a period not exceeding thirty years, but, of course, a settler had the option to finish it earlier if he so wished.

Imagine my surprise when we moved into the second phase and a deposit was demanded! When we asked questions as to why this was so, the answer was: "Yes, the deposit is still the same, but we overlooked something which was a condition laid down by the World Bank." The idea being that a new settler who has just deposited Sh. 700 needs a reserve, so that if his crops are destroyed nobody will run after him in the first year and he can draw on that to repay his loan interest. The explanation seemed plausible enough, but I am wondering whether the idea was not to entice people in, because I have always noticed that Government makes something attractive first. I know it was done in Nandi when people were first given ploughs freely and then when they became popular they were made to pay for them. I wonder whether this is not the same sort of policy in this particular respect.

A second example was with regard to the Mbalat settlement scheme. I was made to persuade my constituents on the political platform that this was a high-density scheme for people with money, but another scheme was coming for the poor man in which he has to deposit something small. However, it turned out later that

[Mr. Seroney]

it was not as small as we had been led to expect, and it was passed off again as another mistake. I am wondering how many mistakes we are going to go through before we stabilize these settlement schemes.

Mr. Speaker, Sir, we would like to know what this Land Bank Agreement is. I would be grateful if the hon. Minister could tell this House about it or if there is any reason why it cannot be done; he may perhaps explain it to us because it is very difficult. Every time you get into difficulty, you are referred to an agreement you have never seen and you do not know what you are entitled to see.

In any event, I would like the Parliamentary Secretary, as clearly as he possibly can, to detail the specific conditions applicable to the three types or if there are more than three—types of settlement schemes, so that we know exactly where we are.

Mr. Speaker, Sir, we have heard criticism from both sides of the House with regard to how these schemes have been operated. Perhaps it may elucidate a lot of things, as I already reported one particular example, to find out whether there is, in fact, any element of grant in these settlement schemes or whether all has to be paid for eventually by the new African settler. I put that question to a former colleague, I put that question to a former colleague—not a very recent former colleague—the hon. Parliamentary Secretary, but I was never able to get a clear answer as to what the grant element was, if there was any. There seems to have been a reluctance to distinguish this.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): There is no reluctance.

Mr. Seroney: I am glad that the hon. Parliamentary Secretary has said there will be no reluctance, and I am taking him up on it by asking him specific, pointed questions with regard to the first phase—it was quite some time ago, so there will be no difficulty about getting the figures—of Lessos, which was 146 plots. The first thing I would like to ask is, how many farms were involved? Secondly, how much was paid for each farm individually? After they were bought, how much was paid for surveying and terracing, and how many staff were involved before the African settlers moved in? What was the personnel involved at all stages, what transport was used, what mileage was used? After the African settlers had moved in, I would like to have a breakdown of salaries, allowances and accommodation and I would like to find out whether a settlement officer pays for his house or lives in the

house rent free. What is the whole proceeding, as far as those 146 plots are concerned, estimated to cost annually? I would like to ask, were every settler to pay cash immediately, how much would it come to? Then I would like to ask if there is any grant element in it because, as I have stated, when I first asked the question in 1961 I received no answer. If all tenants go on right through to their thirty years, how much does the Government expect to recover in respect of those 146 plots?

The Speaker (Mr. Slade): That is the end of your time, Mr. Seroney.

Mr. Anyieni: Mr. Speaker, Sir, the other day when an hon. Member produced a Motion on settlement in a certain area, I mentioned in this House a settlement scheme at Lietego, where the new settlers were having difficulties. Now that we are discussing the Vote on settlement I would like to put forward certain facts to the Minister concerned, and I hope that at the end when he replies he will be able to give definite answers to these definite questions.

Mr. Speaker, Sir, some time—I think it was about a year and a half ago—the Government encouraged some people from Kisumu to go and settle at Lietego. Fifty-three people took up this challenge. They became the pioneers and they have settled at Lietego. These people were told to begin with that, if they worked very hard they would gain through the settlement scheme. But, Mr. Speaker, Sir, without the fifty-three settlers living at Lietego are working very hard, they are not realising anything from their labour.

Mr. Speaker, Sir, if I must quote figures, each settler has four milk-producing cattle and I understand that each head of cattle is producing an average of two gallons of milk per day, which means that the settlers produce 424 gallons per day. I do not know if my calculations are correct, but this shows that the settlers are losing Sh. 1,356/08-worth of milk per day. In other words, they are producing 424 milk-worth Sh. 1,356/08, but they are not selling that milk; they are pouring it away.

Mr. Speaker, Sir, these settlers, I understand, were given up to Sh. 20,000 loans and they were expected to be paid back, beginning this year. They are not able to sell the milk they are producing. I understand, Mr. Speaker, Sir, that the new settlers were settled in an area or on land where the former owner did not have a milk quota, and for that reason they cannot have a quota with the Kenya Co-operative Creameries. Mr. Speaker, Sir, I would like to suggest to the Minister that he must use his office to get these

[Mr. Anyien] people accepted by the Kenya Co-operative Creameries as people owning a quota, so that they can sell their milk. The Kenya Co-operative Creameries continuously refuse to accept these new farmers, saying that these people do not have a quota. However, we know, Mr. Speaker, Sir, that there are some Europeans around the area who have sold their cattle to these new settlers and have sold all of them, so that their farms are vacant now. Why can these new settlers not be given the quotas, or why can the quotas not be transferred from the old settlers to the new settlers? Failure to do this shows there is a deliberate move by the Kenya Co-operative Creameries to oust these new farmers.

Mr. Speaker, Sir, I would suggest that if the Kenya Co-operative Creameries does not want to sell the milk which the new settlers are producing, then it should not be selling any milk around Kisii, so that Government can give these people a loan and they can sell their milk to their own people at home. There is no point the Kenya Co-operative Creameries selling milk to the Kisii people, milk which the European settlers produce, while the Kisii settlers produce milk and we are not allowed to buy some of that milk. Mr. Speaker, Sir, I would like a reply from the Minister in connexion with that.

Mr. Speaker, Sir, when the farmers were introduced into this new area, I understand they were given some area which was not intended to belong to one farmer, and they were told on this plot they were going to have a clinic or a health centre and a primary school. Up to this time, there is no primary school in this area and there is no health centre. Mr. Speaker, Sir, how does the Government expect these new settlers to be able to educate their children or to get medical services?—There is a shortage of transport in this area and you find that when a person is ill, he has to be carried up to

..... (Inaudible) which is about miles away; people have to carry the person on a bicycle or on their backs, which means that these people are still having difficulties in transportation.

Mr. Speaker, Sir, these people also—the new settlers—have planted some crops like maize, peas, beans and potatoes but they cannot sell them. What is the point of these people getting loans if no adequate arrangements are made for the selling of the crops they produce? I have been pursuing the Minister for Agriculture in connexion with this but he told me that it was not under his jurisdiction, he told me it was the responsibility

of the Minister for Lands and Settlement to take care of the farmers for the first two years. Now, the first two years have nearly gone and the Ministers for Lands and Settlement and Agriculture have not done anything for the farmers.

Mr. Speaker, Sir, I understand that these people, who were receiving the loans, made arrangements with the Government that they would pay back a certain amount of money. When the time came for payment they were asked to pay more than what they had agreed, and when they tried to question the person who was asking them he could not give them any reason at all. I think when a person says he is willing to pay so much per year, he should not be told that he will have to pay so much and when the time comes you expect him to pay a little more.

Mr. Speaker, Sir, up to this time this Government has failed to arrange a way for these people to sell what they are producing. I would kindly ask the Minister not to demand any repayments of these loans until he has made adequate arrangements for these people to be able to sell what they are producing.

Before I conclude, Mr. Speaker, when the Regional Boundaries Commission came out there was some land which was given to the Kisii people, it was about 90 square miles. I have not heard of any arrangements for the settlement of new settlers in this area. Sir, when this comes about I would like to draw the attention of the Minister concerned—the Minister for Lands and Settlement—to the fact that though he has now given about fifty-five or sixty acres of land to each new settler, I would like him to think of dividing up this land into smaller plots so that the poor people—who cannot afford to pay this great deposit—can be able to have some of this land. If we continue to divide this land into big plots we are going to be able to settle only about 100 people. I think the point of this settlement is two-fold. We would like, of course, a settlement which is economic so that it brings some money to this country, but we cannot do that while we have some people who do not have land and do not have employment and therefore go without food. When I say this some hon. Members may be surprised to hear that there are some people at Kisii who do not have land. I would like this registration of land to be effected quickly because you will find that a father with about twelve children—and I can tell you that many people in Kisii have numerous children—has a small piece of land and when it comes to registering this land only one person can own it.

[Mr. Anyien]

In registering land, Mr. Speaker, Sir, I would like the Minister for Lands and Settlement to also take into account the fact that a person cannot be told that he has land if he only has a little land. For example, a person may have two acres of land and that sort of man should be considered landless, because one cannot build one's houses and, cultivate enough food to eat on this land. Therefore, such people are the ones that my hon. Minister, when he comes to formulating a policy on settlement, will be able to think of the poor people. For example, he can give ten or fifteen acres to a person who has a family of five so that they can stay in that area.

Mr. Speaker, Sir, with those few remarks, and with the expectation that the Minister will be able to give me a satisfactory answer at the end of this debate, I beg to support the Vote.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Njamweya): Mr. Speaker, Sir, the question of settling Africans in new settlements is very important. This is important not only because of the fact that you only settle people, but it also helps the problem of unemployment. The more the people we can settle in various settlement schemes, they will be able to find the way of earning a living. Personally I would like to give three suggestions to the Minister for Lands and Settlement and I think they are sensible.

I would like to see the Minister working out a policy whereby we have three kinds of settlement schemes. The first scheme should be aimed at helping the poor unfortunate Africans. If we could have large pieces of land in every region, and I think it is time the regions should be able to point out to the Central Government the land available for such settlement, such poor African people, who are not employed and who have not even a piece of land where they can have a roof over their heads, could earn a living. These people should be given a first priority in each region.

The second kind of settlement scheme could be like the one which the hon. Member for Majengo-Bassi suggested, the scheme at Lietego and the scheme at Gelegele which is very near to the former. This scheme is intended for hard-working farmers who can take up 40 or 50 acres and utilize the land so given for mixed farming. My only comment I have on this particular scheme is to ask the Minister concerned to see that the first initial payment is reduced so as to make it easy for the people to get into these schemes and make use of them.

The third kind of scheme I have in mind is where you have the assisted owner scheme, such as the one we have in Sotik for the Kipsigis and for the Kisii people. In this sort of scheme you have four or five people who are rich enough and who can afford to buy a farm. They are supposed to be buying up the land of withdrawing farmers certain amount of money to the Land Bank, but these farms as economic units, and you can work them without unnecessary fragmentation. The only danger with respect to this scheme is that if we are not careful and if we have too many of them we will have the problem of again having another class of landlords which will eventually be very difficult to deal with if the people of this country wish to pursue a rather more drastic social and agrarian reforms.

What we should bear in mind when we try to settle these people in all these schemes, whether they be for the poor people, the middle class African, or the rich Africans, to provide them with the basic necessities which every Government does provide its citizens. We should not forget that these people—more particularly their children—require education. We should not forget that their children as well as they themselves, will require medical facilities, we should not overlook the fact that they would like to have their property and their lives protected. We should not forget that they would like to be in touch with the rest of the world.

The hon. Member for Majengo-Bassi constituency has mentioned a settlement which is very near to where I come from, that is the Lietego Settlement Scheme. There is also another settlement near to that which is also known by the name of Gelegele Settlement Scheme. The former was opened up to settle the Kisii African farmers who were interested and the other one was opened up for the benefit of the Kipsigis. It is very unfortunate that those who decided to open up these settlement schemes decided to work on a tribal basis. I would like to have seen—for experiment—at least one settlement scheme in Kenya where settlers could be drawn from all tribes in Kenya, and there we could have an experiment where we could see how well people of different tribes could live together. While we are following what the previous Government did for settling every tribe in the land which is near to it, I would suggest that the settlers in whatever settlement scheme we are talking of should be given educational facilities, medical facilities and be protected. For instance, the other day I heard that some settlers in the Western Region were attacked by a neighbouring hostile tribe. This

[The Parliamentary Secretary for Justice and Constitutional Affairs.]
was a very serious matter, and some of us were glad when some hon. Members became alarmed by these activities.

It is unfortunate, Mr. Speaker, Sir, that such things can continue now when we have reached this stage of internal self-government.

The settlement scheme which we are talking about, or the one about which the hon. Member who has just sat down was talking about, is also in a similar danger. The settlers in that scheme are in constant fear and I remember the other day when with the hon. Member who has just spoken and some other hon. Members from my country, we visited this settlement, the settlers were, as a matter of fact, very worried. When we tried to investigate as to the cause of their anxiety we were told that the neighbouring tribe tried to attack them at night in an attempt to take away their graded cattle and, if necessary, fight them. Mr. Speaker, Sir, here is a case where the Government should provide protection for the settler. It is my suggestion to the Ministry concerned that it should work in conjunction with the Ministry of Internal Security to see that at least there is a police station in each of the settlements.

The settlers in the Lietego settlement scheme are harassed day and night by neighbouring tribes who have stolen quite a number of their graded cattle. These animals are costly and they are bought by these Africans with the money which has been advanced to them by the Government. At the time when we visited this settlement scheme we were told that one night several animals were stolen in the manner I have described before. The people from the settlement followed the traces which disappeared at the next settlement scheme, which is Gelepele and which is inhabited by the Kipsigis. Up to the present day no steps have been taken for the recovery of these animals. The police have not thought it fit to institute an inquiry under the Stock Theft and Produce Ordinance whereby owners of these animals could be compensated by the people or tribe, or section of the tribe, which is alleged to have stolen the cattle.

If we leave things as they are then the Africans who have borrowed money from the Government cannot find the means to repay this money, and they are eventually brought into court for this. This, Mr. Speaker, is a very serious matter. We therefore put it in strong terms to the Ministry concerned to see that certain steps are taken and something done as to the loss of these animals.

While I am on this subject, Mr. Speaker, Sir, I would like to say, not because I want to be repetitive, that it is the intention of the Government to see that the people who are settled are in a position to pay off the cost of their farms if the Government is doing this, it can and it must at the same time make it possible for the settlers to repay the money and they can only do this through selling their produce. As the hon. Member for Majogo-Bassi has pointed out it is ridiculous to have people producing milk, people engaged in a sort of crops who have nowhere to sell their stuff. The Ministry concerned should try to see that adequate marketing facilities are provided for these settlers.

It is very disappointing, Mr. Speaker, Sir, to find out that there was a Kenya Co-operative Creameries' factory nearby which has now closed down. We would like to know from the Ministry of Agriculture, at a future date, why this was done. The Solik area is known as an area which produces a lot of milk and it more or less prosper on that. Quite a number of European settlers have moved from this area; apparently they did not move with their animals which have been sold to the Africans in that area. Now, as the Kenya Co-operative Creameries has closed down the Africans have nowhere to sell their milk and we would like to know what alternative arrangements the Ministry of Lands and Settlement, in conjunction with the Ministry of Agriculture, are proposing to put forward in order to help the people from this particular area.

[The Speaker (Mr. Slade) left the Chair.]

[The Deputy Speaker (Mr. De Souza) took the Chair.]

There is another point, Mr. Deputy Speaker, on which, we would like to be enlightened. Each Member here is responsible to his constituency. When we go to the constituencies during the weekends we are asked many questions on land settlement and other things. It would be of great assistance if the Ministry of Lands and Settlement could give us details as to how much money each province—I am now speaking of the year 1961/62, when settlement began—has been given for settlement, and we would also like to know how much money the Ministry is prepared to give to each Region for settlement so that when we go to our constituencies we know exactly what to tell the people. The sooner we get this necessary information the better. We are supposed to co-operate with the Government and that is what we are doing and we can only continue to do so if we have got the facts at our finger-tips so that we can advise our people on the appropriate steps they should take.

[The Parliamentary Secretary for Justice and Constitutional Affairs.]

With these few words, Mr. Deputy Speaker, I should like to support the Vote on Lands and Settlement. I should, however, like to make one concluding remark.

It is unfortunate that the Leader of the Opposition and some of the leading Members on that side are not in the House at this moment to take part in this vital debate. It is now clear why it is essential that one authority should be able to have a say as to what is to be done in this country. This three-tier construction is not going to help us. There is the local authority which is going to decide who are the settlers; the regions which are going to say where the people are to be settled; and the Central Government which is going to provide the money. I think it should be the duty of the Central Government to say where the people are going to be settled, where they are going to get the money from, and, in consultation with the local authority, who are going to be the settlers.

Thank you, Mr. Deputy Speaker.

Mr. amp Chogoi: Mr. Deputy Speaker, Sir, I would like to say a few words about the Lessos settlement scheme. The farmers in that area find it very difficult to carry on with their work because they do not believe in what the settlement officer in that area says, since the officer was unfriendly to the Nandi when he was a farmer.

As such, the young farmers find it very difficult even to believe in what he says, or do as he tells them, as they do not know if it is a good or bad suggestion because they have no confidence in him. I, therefore, suggest that the Minister takes steps to see that the farmers, after their land has been taken by the Settlement Board should not remain there as settlement officers, because they in turn discourage the farmers in that particular area and do make their lives very difficult indeed.

At the same time it is going to be very difficult for the poor man to go on this settlement scheme, because in the first place they are expected to pay Sh. 750 and then try and produce another Sh. 3,000, to show that they can carry on with the farming without any difficulties. I suggest that the Sh. 3,000 is too much for the ordinary man or the poor man and it should be Sh. 1,000. If the Minister does not actually consider reducing the Sh. 3,000 to Sh. 1,000, it means that only the rich men can have these new farms. At the same time, Mr. Deputy Speaker, the farmers at Lessos are being forced to keep grade cattle only instead of their own cattle; that is the local animals. I think there are particular areas in

Lessos which are not good for grade cattle and therefore the farmers would like to keep their own animals from their own homes instead of grade cattle. However, the Settlement Scheme Officer forces them to keep these grade cattle and not as they should be.

Another point, Mr. Deputy Speaker, is that these farmers at Lessos should be found a market where they can sell their milk. They produce a lot of milk at present but cannot sell it. There are neighbouring farmers who are Europeans and they sell their milk to the Kenya Co-operative Creameries, but the Africans are not allowed to do so. Even in small towns such as Nandi Hills the Africans have found difficulties in selling their milk. I think it is time that we forget to think, as has been done in the past, that the African has second grade maize and milk, etc., but that whatever he does now he will produce high quality goods.

QUORUM

Mr. Jahazi: On a point of order, Mr. Deputy Speaker, Sir, are we a quorum?

The Deputy Speaker (Mr. De Souza): We are not a quorum. Ring the Division Bell.

(The Division Bell was rung.)

The Deputy Speaker (Mr. De Souza): We are a quorum now, you may proceed Mr. Chogoi.

Mr. Chogoi: Thank you, Mr. Deputy Speaker, Sir. I think we should now forget that the African farmer still produces the second grade maize and milk, as was thought in the old days that he can only produce second and third grades, and they should concentrate on selling to the Kenya Co-operative Creameries.

The Deputy Speaker (Mr. De Souza): This debate is restricted to talk about the settlement schemes. You may not talk about general agriculture.

Mr. Chogoi: I think the settlement scheme at Lessos, Mr. Deputy Speaker, is very slow indeed and we would like the Settlement Board to increase their staff so that the scheme can be carried out there as quickly as possible. With these few remarks, Mr. Deputy Speaker, I beg to sit down.

Mr. Wariithi: Mr. Deputy Speaker, Sir, I would like to put forward some suggestions to the Minister for Lands and Settlement. When the settlement schemes were introduced about two years ago, it was I think, primarily, as a solution

[Mr. Warikhi] for landlessness and unemployment, but from the experience we have had and also from the results, there are still a number of problems which have arisen and I am happy that the Government is aware of these problems and has introduced a number of schemes which aim at making the settlement schemes more productive. It is suggested that there should be three types of settlement schemes in operation, but I think there should be a fourth scheme as well, and hope that the Government will consider this and try it out in this country.

This type of settlement scheme, which I call collective farming, has been tried in other countries on these lines; you buy a big piece of land, you take a number of people and settle them on this land in a collective way. The reason why I suggest this type of scheme is, that I have places like Nyeri in mind. Here you have a number of economic small holdings of about 1,000 acres and on these holdings you want to settle a number of new farmers. You then find on the same farms there are a number of squatters who have lived there for many years—thirty to fifty years—and these people have nowhere to go. If you want to settle the new farmers on the land alone you have the problem of having no provision for the squatters and your problem becomes even bigger if you turn these people away. They have no homes to go to and are liable to be charged and taken to court for trespassing and it disrupts the life they have been living for so many years. Mr. Deputy Speaker, I think it would be an important experiment to try settling all the people who are already on the farm plus the new settlers in a collective manner.

Following up from that type of scheme, I think it is also necessary, that our Government should start looking on the problem of land settlement as a way of raising the national revenue of this country. We know that our country is primarily agricultural and we cannot afford not to increase the revenue from these products. Our Government must start thinking in terms of making land settlement an economic proposition, to make it pay, to make it produce more revenue for the country, and that can only be done by making these new farms productive.

We do realize that we have settled the people who are landless and solved the problem of unemployment, but we cannot do it at the cost of reducing the revenue which we derive from our farming.

Mr. Deputy Speaker, I have been to some of these countries, I have been to Israel. During my visit I toured some of these collective farming

areas and I found they were very productive. Since we have large areas in some parts of Kenya we could try this kind of farming, and I think it would prove to be a paying proposition. The other point I would like to add—as much has been said on this Vote I will be very brief—in the question of markets. I toured some farms of the settlement schemes in Nyeri and there are many problems which face the new settlers, mainly the difficulty in selling the products which they produce. They may grow maize, beans, peas and other products, but they have nowhere to sell them. The question is, if they have to pay back the loan they have received from the Government, a method must be worked out as to how these products are going to be sold.

The other point which I would like to mention is the question of buying land for the purpose of settlement. I think it is important that this House or the country should know on what basis the land is being assessed by the Land Settlement Board. We are not saying that the assessment is not fair, but what I am saying is that it is necessary that we should be told the basis on which the land is assessed. By that I mean does the board take into account the value of the land in the present-day market, does it consider what that land might have cost; the development on that land, the houses and other equipment, in other words I would like the Minister, when he replies, or the hon. Parliamentary Secretary, to inform this House of the basis on which the land is assessed by the board for the purpose of settlement.

With these few remarks, Mr. Deputy Speaker, I beg to support.

Mr. Kiprotich: Mr. Deputy Speaker, I wish to criticize the land and settlement schemes. The reason why I am using the word "criticize" is when the former settlers sell their farms; they leave their former employees on their farms which they have sold to the new settlers. These people do not know where to go.

Some were even born there, but they live so landless here, and I thought that when these Land Settlement Schemes were started about three years ago, that land was going to settle landless Africans. But, now, the schemes are only making the rich farmers richer. I know that at the present moment, in my constituency, there are about 300 former squatters with nowhere to go. They have been to the District Commissioner's Office where they were told that it was up to the Government, and that they should go and ask Mr. Kenyan or Mr. Mboya. They have gone to the Labour Office and they received the same answer. I think, therefore, that these settlement schemes are not a great

[Mr. Kiprotich] help to the country; they are only costing the Government money for nothing. I know that the Minister himself who is concerned with this question is not present. I do not really know what this Ministry is here for. I think that it would be a good thing for the present Government when we get independence, to urge the former settlers to stay on the farms and employ these people, that have worked there before. I remember when I visited my constituency last week that I met a group of people waiting for me on the road, they told me that I must not go to Nairobi, otherwise I would not be helping them at all. They told me that their employer is leaving the country, selling the farm and they do not know where they can go. They asked me if I would ask him to stay and employ them. The old man had been there for about seventy years and he told me that he was tired, and that he had been advised by his doctor to go somewhere else. But I think it was because of a fear of the coming independence and perhaps possible trouble, that had made him decide to leave the country. I know the Government has the former Crown land, and if they want this Ministry to be there, this Crown land must be given to those who were previously employed on European settlers' farms. Before the Government approves of the settler selling his farm, ten or twenty acres must be given to each of those people who have been working on that farm for a long time, because they have no other place to go. Otherwise, I do not know what these people are going to do, because they have no money to buy anything and they have nowhere to go. I know of one farm in my constituency—in fact, I know of three—which has been bought by people from outside who have plenty of money and the people who have been there have no money to buy the farm. So, Mr. Deputy Speaker, this is a very serious matter as regards these landless Africans, formerly squatters, and if the Government is not going to take this matter very seriously and give land to these people, when they come to me, if the land has been sold to new settlers, I will ask them to go and build their houses there instead. I do not care if I go to gaol for it, for I do not want these people to start stealing or doing other things because they are forced to it.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

Mr. Speaker, Sir, in conclusion I would say again that I think the Government must abolish these settlement schemes for the time being, because I do not see any point in there being any,

wasting a lot of money on travelling and housing allowances while the Government has so many houses.

With these few remarks, Mr. Speaker, I am opposing this Vote.

Mr. Mbooni: Mr. Speaker, Sir, while I have been waiting for this chance to speak, I have found that most of the people who have been speaking have been talking about settlement which already exist! I have a problem with the settlement that does not exist when we come to the new settlement schemes—I am sorry that the Minister himself is not here, although I know his Parliamentary Secretary is present—because I would very much have liked to hear what he has to say about this. When the Ministry of Lands and Settlement was set up, we thought that most of our grievances would be dealt with there and then. However, since this is a new Government, I hope that these things will be done without wasting time.

When the Minister was speaking he congratulated the Manager of the Mwea-Tebere Scheme and I would also like to congratulate him, although I have something to add on this. With the Mwea-Tebere Scheme, which is a rice scheme, I have always found that the people do not eagerly go and that they should out of their labour. What I would suggest to this Ministry is that this scheme should be turned into a co-operative scheme without wasting any time. Then the people there would be able to participate and reap the fruits of their labour without being exploited by the department concerned.

In my constituency—that is, Embu North—there are well over 3,000 families of Kikuyu origin who are landless. These people cannot pay taxes, they cannot educate their children and I am always wondering on what they live. It is possible that these people are going to present a very difficult problem to the people there because they can turn into anything. When you hear of people taking out in a few districts, you find that this is one of the things which leads these people into such actions. I would call upon the Ministry of Lands and Settlement to consider this case.

Just last year or at the beginning of this year, about 50 of them were found a settlement somewhere in Nyeri, and these people were quite happy. When they were given that settlement they left their parents behind, some left their second wife behind and others left their children behind, and they were settled in that area. Those who were left are really hungry. In Embu there has been land

[Mr. Mboogh]

consolidation. With the problems posed by land consolidation, you will always find that people are living huddled together like sheep and then they are left there without any means of living. The owner of that land is also forced to be like them because he cannot work on that land, he cannot get anything out of it; he is just left to live together with those people and they are made to suffer unnecessarily. These people, I would say again, are a security risk. Unless something is done, we are going to start suppressing something of which we do not know the origin, while we have ignored it in its early days.

When these matters are brought to the attention of the authorities, they turn a deaf ear to them; they ignore everything I tell them. I have quite recently approached the Ministry and instead of doing something they referred the case to the region; they say that the Eastern Region must approach the Central Region about this. I would warn the Minister concerned with this. I think that these people are fixed in their determination, and even if there is any settlement in this Eastern Region they will not be prepared to settle there; they would like to join their brothers in the Central Region. Unless that is done, they are not prepared to live there. These people are not disliked by the Embu people, and I would say this again and again. It is not that they do not like the Embu people either, but the thing is that they feel a sense of unity with their kith and kin, and although the Embu people are their brothers, they feel that they should go back to the land where they belong. Although they do not know exactly where this land is to be found, they still feel that this is the only thing they can do.

One day when I went to see them, they threatened that if they are given notice to quit the piece of land on which they are living, they will pack up and come to my house and live there. How can I house 3,000 people in my small home? I cannot tell what to do now, but if they have to come there, the Minister for Lands and Settlement will come to take them and put them somewhere else. On that day when they decided to come and settle on my small acreage I shall run very fast and find some buses to transport them to the Minister.

Mr. Speaker, Sir, there is a settlement in the forest just at the foot of Mt. Kenya where a few of these people were taken. After they had lived there for six months I went round only to find that the conservator of forests had given them notice to quit that piece of land. When I asked him where he expected them to go, he said he did not know. Now I am wondering whether

I should know everything. I would like this notice to be withheld because they were told that they should quit on the 31st July and on the 31st July they will not have done anything. If they had to go back and suffer with their other brethren who are actually suffering more than them because they are living almost on nothing, while the others can get something to eat.

There is also a batch of these people living just at Embu township. Although the village they are living in is not very attractive, they have also been given notice by the District Commissioner to quit that piece of land, which has created another problem. I am wondering where these people will go and when we get all these people together in that small settlement of theirs, which is on consolidated land, there will be nearly 4,000 families living on almost nothing. They might turn into thieves or murderers or anything, to get some means of livelihood. Some of these people have lived in Embu long enough, some of them have been there for the past 30 years, but they did not undergo the initiation ceremonies through which those people who come from outside are expected to go. I do not know the reason why they did not do that, but those Kikuyu who have accepted the Embu way of living have been given land, and that actually demonstrates that the people of Embu have no particular hatred, they have nothing against the Kikuyu families who are living in that area.

If we had enough land in Embu we should have been very glad to have them there so no one should say it is any form of tribalism, or anything like that, but it is a matter of shortage of land.

When people speak about settlement I feel that what is happening in the Ministry for Lands and Settlement is that they do not realize exactly how economical it is to settle people in co-operative settlements. I have some experience of co-operative settlements and that is why I should like to see more co-operative settlements. When you get people dividing their land into small plots it is not very economical. It would be better to put the same amount of money into a co-operative settlement and let these people work together.

The problem at present is where are we going to live? What are we going to eat? How can we pay our taxes?

When we are told that the land belongs to the regions I feel that the Minister must play his part whether there are regions or not, and I do not believe that these regions are strong enough to deal with all these problems.

[Mr. Mboogh]

I would like to see people working together. If anyone gave me a piece of land I would be quite prepared to run that settlement on co-operative lines.

With these few remarks I beg to support, and say to the Minister for Lands and Settlement that unless he acts and acts quickly, it will be tragic.

Mr. Tami: Mr. Speaker, Sir, I would like to agree with those who oppose the idea of having a settlement officer who has been formerly a farmer in that particular place.

I think, Mr. Speaker, that it is a wrong idea, simply because the people will not listen to him as he has been a nuisance before to the Africans in the area.

And I therefore ask the Minister for Lands and Settlement not to let these people be settlement officers as they are not constructive and they are not considered leaders at all. Africans should replace these people.

It seems that the Ministry does not consider that Africans are capable of being settlement officers. There may be one or two African settlement officers but I do not know them and I should like more and more Africans to be settlement officers. They understand the people's problems.

Mr. Speaker, Sir, I would like to mention the landless and the jobless. I thought the settlement schemes were for those who had no land and no job, but in my own constituency there are people in Pekera catchment area who have been asked to move from that area because it was thought that they were causing soil erosion, and that the Pekera River would dry up.

Neither the Settlement Board nor the settlement officers have helped these people, but instead they are asking them to come to interviews like any other people with money, and yet they have been living in a place where it was impossible for them to earn money. They are unemployed, and have no land to cultivate.

I call upon the Minister for Lands and Settlement, Mr. Speaker, Sir, to consider the welfare of these people and to settle them free. There should be special settlement schemes for such people. The Government is an African one and it should prove that it understands the problems of the people.

In the settlement scheme in my own constituency I have found that the schools are far away from one another, and children have to travel about four to six miles to get to school. I think that the Minister should see that they are put close together than that. Some of the old build-

ings already existing that have been left by the Europeans could be used as schools. This would be much cheaper than building new schools.

The new people on the land should be called African "farmers" not "settlers", as they are moving to new land. They are not settlers in the true sense of the word.

I think there is insufficient training for the Africans who are coming to these new farms. Courses should be provided to teach these people correct methods of farming.

The Minister should devote some of this time to going to the new settlement schemes to see for himself the problems which these people are facing.

I do not think that the existing houses on the land should be purchased, the house should go with the land and not have to be paid for extra. The people should spend money on more land—not on unnecessary extravagancies like these houses, that are not required for their present standard of living.

Mr. Pandya: Mr. Speaker, Sir, on a point of order, may I propose that the Mover be called upon to reply.

(The question was put and carried.)

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I would like to start by thanking all the very many people on both sides of the House, who have taken part in what has proved to be a very interesting, important and instructive debate. It is only by hearing the views expressed in the way they have been by both sides of the House that those of us who work within a Ministry have enough opportunity of really gauging the fervour of political opinion on certain subjects. I hope that all Members will bear in mind, as I try to answer the points that have been raised, that the Ministry will consider very carefully those points that have been brought up, and if I appear to give an unsatisfactory reply now we shall be considering the future policy within the Ministry in the light of what has been said in this debate. I am afraid I may have to take a little time in answering because I am sure that you would wish me to reply to the individual points that each Member has brought forward. I think the subject is of sufficient importance to warrant this. Before I do so there are certain points that arise from the debate. There have been certain threats that have gone through this debate—that has now lasted three or four days, I think—and I would like to refer to these as general points together first. In this case I cannot pay so much attention to them when I come to any individual.

[The Parliamentary Secretary for Lands and Settlement]

The first point I would like to make is in relation to settlement and the twin problems of unemployment and landlessness. Settlement is not and can never be a complete solution to the landless and unemployment problem, although we all hope that it will make a considerable contribution.

Settlement is an exercise by which land may be moved from large-scale European ownership to intensified, small-scale African ownership with the minimum of disruption of economy and aims at an intensification of production. This to my mind, is the nearest approach that I can get to a definition of what we are trying to do. It is basically a revolution in land ownership, and I know that it is hard when I have to say that we cannot solve all the landless and unemployment problems through settlement, but I would be deceiving the House if I attempted to give this as an answer. We cannot do it, we can do some way but there must be other answers bound up with what settlement itself is trying to do. It is a combination of our schemes, a restitution of the economy, so that employment starts building up again, direct action by the Government in certain spheres, so that those who are landless and unemployed may be put on specific projects which are of national importance, so that you get the twin answer of helping with your unemployment problem and of building up your national assets at the same time. On this side of the House, we do feel that the present Government is producing a dynamic impact on this problem and find that the wheels of the economy start turning again and so, within the economy itself, one begins to get an addition to the solution of this unemployment problem.

The second point I would like to turn to is that there has been throughout the debate a series of general allegations against settlement. There have been many concrete suggestions coming forward—particularly later on in the debate—and there has been an attempt to brand the settlement schemes as imperialistic. I do not quite know what the Opposition meant by this—it was they who brought it up—but imperialistic or no it is designed to be of direct benefit to the African people. Although it must be consistent with the maintenance of the economy of this country, it is the African people who in the long run, we hope, are going to benefit from these schemes.

I wish to turn to two specific points of definite criticism in terms of European farmers staying on as settlement officers, and labour evictions, particularly in the Rift Valley, which are exacerbating our problem. I appreciate very much the

feelings that run high in this House on the question of farmers becoming settlement officers. That is this; there has been considerable criticism at one time or another about European farmers packing up and going and I think it should be appreciated that those people who are continuing as settlement officers are not among this category. They may have sold their farms. There are many quite good reasons for selling farms, they may be, for instance, in the middle of settlement schemes, and you must not forget that if no farms were sold there would not be any settlement schemes. Here are these men who are and helping. There may be criticism of the way that they have helped. On the other hand, there are at least two cases that I know of where they have been asked to move on and the new farmers have themselves come forward and said, "Will you please leave this man with us." I know in all walks of life there are some good and some bad, but I think it would be a pity to castigate all of them who have tried to help out because there are some very good ones and they have done a job which would have been very difficult to have done without them. It is the policy of the Ministry to bring as many African settlement officers into service as possible. One would assume that we might be able to get more ad more from agriculture, but Mr. Speaker, agriculture, itself, has its own problems of localization. It has its own problems of bringing forward African agricultural officers to take over and they, engaged as they are in getting sufficient high quality and high calibre African staff, can spare very little of what has been trained over a period.

The second point I would like to make on this is that the post we are offering is, of necessity, a post that is temporary. Only for a limited time can one go on buying up land; therefore, the settlement officer, as such, has no long term future in his job as a settlement officer such as an agricultural officer has. Therefore, an African who is looking towards a future, would tend to prefer a career within the Agricultural Department which will last him for the next 30 years than temporary employment within the Ministry for Settlement. I hope hon. Members will bear this in mind, because it has not been easy to recruit the men that are necessary. We have one settlement officer to about 10,000 acres and the running of a 10,000-acre operation, subdivided into the number of farms that they are, does require a certain amount of experience of large-scale agriculture. I am not in any way saying that all your European settler farmers are marvellous, or that your African farmers cannot

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do it, but I am saying that there is a certain experience required. Whereas we will continue to press forward with African settlement officers, unless we can recruit them satisfactorily, it is necessary to continue to use some of those farmers who wish to stay behind and help us. We have several African settlement officers now and we will continue to recruit more, but I would like to repeat that, although mistakes may have been made, we could not have got where we have in settlement without these European officers.

I would like to turn now to this question of labour eviction. It is not predominately a settlement problem, although it has been raised in this debate. Its effect, of course, collides with the problem, but the actual problem of why redundancy of labour takes place is not, predominately, a settlement problem and, therefore, I do not want to deal with it at any great length. Whenever you get a growing standard of living, you always get a reduction of manual employment in agriculture. Those of you who have visited the various industrial countries—particularly countries like Britain and America—will have seen farms of 1,000 acres or more being run by two or three people. Whereas, probably fifty years ago those farms had fifty people, or more on them. We in Kenya, have not got to this stage by any means, but economics have a way of finding a way through. To some extent this is tending to happen; there is a tendency for agriculture to use more and more machinery, and less and less man-power. I have explained in this House before that we have had certain set-backs in our agriculture where quotas have been reduced and one has had a redundancy of labour. I am not saying that there are not cases when labour has been laid-off, partially, because of political reasons. What I am saying is that there is no evidence that I can find that there is a large-scale victimization in this problem. I have had discussions with the people I believe can help us with this particular problem.

Meetings are taking place between the representatives of the workers in the General Agricultural Workers Union, their political representatives, some hon. Members, particularly from round Nakuru, and the representatives of the farmers in the form of the Kenya African National Union. I believe that there is a fair chance that out of these discussions will come a solution to this problem, or at least a lessening of the problem. I think there is a degree of good will on all sides and, whereas I think it is quite right and proper that a problem of this nature

should be ventilated in this House and be brought to the attention of those who are concerned with it, I do think also that, given good will, we can keep it in check and under control.

Throughout the debate, particularly in the early part of it, there was a call for larger holdings, co-operatives and ranches. I would like to deal with this point first and, in doing so, I would like to refer to some remarks made in the policy debate on the Budget, on this question of settlement, by the Specially Elected Member on the Opposition. He made a reference to the Member for Doolbohlo who, in the course of his speech, said that he knew nothing about agriculture. I would like to state that this is incorrect and irrelevant, because the hon. Parliamentary Secretary to the Treasury, Mr. Kitaki, is a farmer in his own right, and he knows just as much about agriculture as the hon. Specially Elected Member on the Opposition benches. He went on to say that there should be only two sorts of settlement schemes; one is a man with half an acre and a house, and the other is a man with 100 acres or more. I wish to join issue in the strongest terms with this type of approach to our problem. Nothing appears to me to show a greater form of ignorance of what we have to do than to suggest that the only way in which settlement is going to be successful is to produce a 100-acre farm or more.

Mr. Speaker, Sir, this is a human problem and we cannot think of a human problem only in terms of what is most significantly economic to the country. The interest in co-operatives is obviously extremely strong. Speaker after speaker has suggested that the answer to the settlement scheme is not to split the land up but to leave everybody who is there on the land and turn into a co-operative and then hope that you are going to be successful enough to attract other people into the piece of land that is there. I, personally, have a considerable amount of sympathy for this point of view. I believe that it may be possible that, in the co-operative ownership of land, we may provide an answer to some of the difficulties that we are experiencing at the moment. I do not know. I do not wish to be dogmatic about it. I have received very strong advice from certain quarters that whereas co-operatives can deal with marketing, they can deal perhaps with purchase, they can deal perhaps with machinery, but they cannot deal with ownership because we in Kenya are too individually minded not to wish to have a little plot, or a bigger plot, with stakes at the four corners and a house which belongs to the individual.

[The Parliamentary Secretary for Lands and Settlements]

I would like to continue my discussions with many Members on both sides who will be kind enough to come up to me and discuss this problem of co-operatives. I do not know what the answer is, but I believe that we should have a try at some and see how they work. There is one, of course, at Komo Rock which is a co-operative on a ranching basis. It is a little different. Co-operatives on ranching or co-operatives on moonshine, I think, are probably reasonably easy. Can you create a co-operative successfully on mixed farming? There is undoubtedly the big problem of management. You cannot run a co-operative ownership operation without somebody at the top—whichever he may be—telling people what to do. Will the new farmers within the co-operative be prepared to accept this degree of discipline and dictation? All I would like to say on this is that I have noted the very strong views-pointed out forward for co-operatives. I would like to see them tried on a trial basis and will certainly bear in mind all that has been said.

There were points made that we should do far more on the ranching side than we do. Anything I have to say about this is that ranching is a very inefficient way of getting people on to the land. You pay a lot of money for your ranching operation and, at the end of it, the number of people who actually settle on a ranch is relatively small. We are not turning our back on it. There are two, as you know, in the Kamla country. However, in terms of solving the human problem of settlement, it is not all that successful.

So, in this question of whether you move to larger holdings or smaller holdings it seems to me you have a great dilemma. You can either have in the first place. The maximum concentration of landless, in which case you will get subsistence farming, probably no experts, probably no income for the country. You will have a risk of failure, because the man on a very small holding has nothing to fall back on. He will probably have no experience and he will not have any money, again adding to the risk of failure perhaps due to climatic conditions. At the other end of the scale, you can go to the larger holdings; you will have an economic benefit to the country; you will have more chance of success, because the man will have more to fall back on. This type of man will probably have a little money of his own and agricultural experience, but, at the end of it, you will get some success. This is the dilemma, Mr. Speaker, Sir, which we are in. The latter category is likely to give

employment. Will this be acceptable? Will the people accept employment on a larger holding rather than having a smaller holding of their own which is terribly vulnerable to the hazards of farming which are with any farmer but which are greater for the smaller farmer?

As so many hon. Members have spoken in this debate, I would ask them to ponder the type of problem that I have now posed to them, because it is only by all of us thinking together that we are likely, finally, to get the proper solution to the problem of settlement.

Another point that has run through the debate was that too much emphasis was placed on purchase and not enough on settlement. I would like to quote the hon. Parliamentary Secretary to the Treasury, speaking in the policy debate, in which he said: "The money that we use is borrowed, we can negotiate but we cannot dictate." I think that this is terribly important because this money has to be negotiated and it is given to us on certain terms. When I come to refer to the remarks of the Parliamentary Secretary to Education, I will go into this matter in more detail, as to what part of the money is for purchase and what part is for loans and services.

I would like to mention the scope of the debate. I think that as I have listened to the debate I have sometimes wondered whether hon. Members have really appreciated the immense effort that has been put into this, and what it means.

Last year, we steered 5,000 families; there was, I regret, an inaccuracy which crept in, which gave a figure of 500. This is not correct, it is 5,000 families in the last year, and in the year to come we are hoping to get in the region of 12,000 families.

This is 1,000 families a month. It is thirty-three families a day, settled on the land. This is a major operation. It is something that has never been done at this speed anywhere in the world, and I am sure that hon. Members in their criticism will realize the immense effort that is being put in and the immense degree of imagination with which this problem is being handled.

We have got for high density settlement a one million-acre scheme backed by money which is around £27 million. We have, in addition to that, the I.B.R.D./C.D.C. schemes of about 130,000 acres.

Mr. Maundling the present Chancellor of the Exchequer in England, when he was Minister of State for Colonial Affairs, said "If after the million-acre scheme is complete it is seen to be

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The British Government will reassess the position". Having looked at this problem, particularly from the point of view of the number of people that we need to put on the land, I am convinced that a further million-acre scheme is going to be necessary. And I would like to say this quite clearly in the House today that I believe that we shall have to come back to the British Government and say to them, "the million-acre scheme has been settled; we still have landless and unemployed and we cannot solve this problem without a further scheme of a similar nature".

Finally, Mr. Speaker, before I get on to the specific points raised, I would like to say this, that both the Minister and myself are hoping that as soon as the House rises, even before the House rises, to go round to as many settlement schemes as we possibly can, and see them on the ground. And I hope that at that time, the Constituency Members concerned will make a point of coming with the Ministerial Party and showing us on the ground exactly where their criticisms lie, so that they will be in a position to point out to us what is going wrong within the settlement schemes. We shall, and I have my Minister's authority for saying this, we shall consider it terribly important that the Constituency Members come with us when we go on these tours of settlement areas.

Mr. Speaker, the first Member to speak in the debate was the hon. Leader of the Opposition: The first point he raised was where do the regions get the money for settlement? It has been suggested that settlement in the S-Scheduled Areas is a matter for the regional authority. Where, then, does the Leader of the Opposition say the money for settlement should come from?

I have observed that they are not here, and I do regret once again that many people, particularly from the Opposition side, do ask a great number of questions, and are very seldom here to receive the answers. However, perhaps they will read them.

The answer to this question is that each local area will produce its own Development Estimates. It will set out what it wishes to do. It will produce its Development Estimates, and these Development Estimates will be considered by the co-ordinating committee under the Minister for Finance. The Central Government will then apportion what money it can obtain amongst the various demands.

The second point made by the hon. Leader of the Opposition was why cannot the Government give part of its money to the regions? The answer

of course, is that all money is tied to specific settlement schemes.

He then raised the question of ranches, which I have dealt with. He then said why is land consolidation part of the Ministry, settlement has gone to the Regions, why not land consolidation? The answer to this—Mr. Speaker, is that settlement has not gone to the Regions, only certain aspects of settlement like the choice of settlers, have gone to the regions. Money for land consolidation is provided by the Central Government and is carried out in co-operation with the regions.

The staff, which is mainly contract, remains with Central Government because of finance: to split it would decrease the speed and increase the cost.

In addition, the desire for land consolidation fluctuates very much and if it is to be successful the Central Government must be able to apply what it to the areas that most need it, and most want it. The next point that the hon. Leader of the Opposition brought up was the matter of Galole. He said that there was a charge of Sh. 1,200 per acre for four-acre plots and that there was no profit. Could we show specific accounts as to what profits had been made? Mr. Speaker, Sir, Galole is an experimental scheme for the United Nations Tana Survey. It does not pay its way, but it has been worked out that the settlers should be able to pay the charges, and produce an income. The income is estimated to be around £100 per annum, having paid off the settlement charges. There have been certain difficulties because of floods, and various technical difficulties due to the difficulty of double cropping. As a result, last year, the charges were reduced and all the outstanding debts incurred by the settlers were written off. It is, therefore, not correct for the hon. Member to say that there has been no reduction in the charges at Galole, where difficulties have occurred. This year, charges have, in fact, been reduced. The Tana Survey, itself, is not in this Vote. He then brought up the matter of Tanganyika settlement, and said that he was surprised to see that this Ministry was responsible for it because he had understood that it had collapsed. The Tanganyika settlement scheme was a scheme that was started last year at Mpanda and it was originally designed to take 2,000 families to help with unemployment and landless relief. The scheme was then reduced to 1,000 families. In the event, only some 3,000 people were, in fact, settled. All schemes such as this are now the responsibility of the Ministry of Home Affairs.

[The Parliamentary Secretary for Lands and Settlement]

In view of our problems of settlement, I felt that I should personally ask the Prime Minister how I should answer this question in this debate on the possibility of settlement in Tanganyika. The answer that he has authorized me to make to you is that the Government supports the Tanganyika settlement scheme and he wishes to express his appreciation to our good friends in Tanganyika for their generosity.

The next point that the Leader of the Opposition made was where the money for survey came from; did it go to the regions—it was very slow particularly at the coast? The answer is that survey remains a Central Government responsibility. It is impossible to split it up, because it would have led to great loss of efficiency and greatly increased costs. It will serve both the Central and the regional governments under central control and the offices of the Survey Department—no matter where they are working—will be Central Government offices operating under central control. This is clearly established in the Constitution and I should have thought that the Leader of the Opposition would have known it. I know that the Survey people give the impression of being slow in certain areas, but they are under tremendous pressure of work, with not only land consolidation on the one hand, but also all settlement schemes on the other, quite apart from their other normal work.

A reference was then made to the increase of passages and leave expenses, which I intend to leave until we come to the Committee stage.

The next speaker was the hon. Member for Embu South. I beg your pardon, Mr. Speaker, I was referring to Mr. Nyagah, the Member for Embu North. Nevertheless, the hon. Member for Embu South did make such a remark and much of what I say will apply to his remarks also. The hon. Member said that there was a problem brought about by land consolidation in Embu area whereby certain landless people were thrown out and they were given a pledge by the Administration that they would be settled. I certainly would not doubt the hon. Member; unfortunately such a pledge was never given by the Settlement Board. If it was given by anybody it was given by the Administration, but I am not prepared to argue this particular point. It is true that there is no settlement scheme specifically designed for the Embu people. I imagine that when the planning for this was done originally, it was felt that the land available to the Embu was perhaps sufficient for their needs, at the moment. It appears to me that there are two

answers for the people to whom the hon. Member has referred. The first is that they should apply to their Regional Assembly for the various settlement schemes which are operating in that region. As I gather that the men in question are predominantly Kikuyu, I would suggest that they should apply to Nyeri to see whether they could not obtain a place in the many settlement schemes within the Central Region. The other thing that could be done to settle the problem lies within the Embu District itself by which some of the richer farmers who, I understand, have quite nice holdings, might be prepared to take tenants, or indeed employees; this may help to solve this problem within the area itself.

The hon. Member welcomed the take over of land consolidated by the Ministry and hoped that the anomalies will be sorted out. I would be happy if he would let us have any details of this. He asks for Mwea/Teberu to be taken over by the county council of Kirenyaga. There is no reason why Mwea/Teberu should not go across to the regional authority and there is equally no reason why, by consultation and negotiation with the regional authority, the county council of Kirenyaga should not take it over and become responsible for it. I shall be saying more about Mwea/Teberu later on.

He referred to the social services for settlement schemes. I am surprised that, as the Chairman of his own African District Council, he should not know that the social services of all settlement schemes are the responsibility of the local governments. We hope that the Ministry of Local Government and the new county councils will take this duty of providing social services for settlement schemes extremely seriously. There have been a number of points made in this debate expressing a criticism of the lack of clinics, social halls, schools etc., in the settlement schemes and, of course, this is a very real lack that should be put right at the earliest possible moment. All the same the Ministry of Settlement is concerned with settlement; it is concerned with marketing; it is concerned with running a highly complex organization; but it is not concerned with social services. As a settlement area comes within the orbit of a local authority, that local authority must accept the responsibility.

Mr. Speaker, I do know that many local authorities have not quite known where they have been over the last six months or so; they have not known where their new areas were or were possibly going to be, but now this has been sorted out and the boundaries of the new county councils are known. I do hope that these county councils

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aided by the Ministry for Local Government—will make the very strongest effort to provide the social services which are necessary to these schemes.

The hon. Member referred to large houses as assets to the country and suggested they might be left with larger acreages round about them and that they could be bought by the more wealthy members of the community. There is a difficulty in leaving large acreages round houses and I think the most obvious one that must spring to the attention of hon. Members at once is that the more you leave round a house, the less there is for the settlement scheme and, therefore, the less there is for the poorer sections of the community that we are doing our best to settle. The Ministry will always sell houses to either regional or local authorities; many are already being used for houses for settlement officers and administrative officers.

There was a point made by one of the last speakers tonight on this question of houses, in which it was said why should they be bought at all. Well, in fact, only a relatively small sum is paid for these houses and the Ministry of Settlement does attempt to get what it can for them. However, I do agree with the hon. Member that it would be a pity just to let them disintegrate, because they can be an asset to the country and, undoubtedly as we get our production up, they can be used for productive purposes.

The hon. Member ended up by paying a compliment to the Lands and Surveys Department and particularly to Kenya's stand at the Cartographical Conference and I would like to say his remarks are greatly appreciated by the Department of Surveys.

I would like now to turn to the remarks of the Parliamentary Secretary for Education and, I am sure I am expressing the views of everybody in the House when I say how relieved we were in finding him still here today in view of the large-scale rumours in Nairobi yesterday that he had come to grief in a motor-car accident.

The first point he made, Mr. Speaker, was that the schemes were bettering the Europeans rather than the Africans. The money was used for buying land and not for settling and the poor land was used and the poor people could not do well. I have dealt with this point to some extent in my opening remarks, in that I have said that the money we obtain is obtained on certain conditions and one of those conditions is that a fair price is paid for the land. The method of valuation

in 1959 valuation; it is related to the state of the farm as it is at the moment, so if a farm is allowed to drop down and is not looked after, crops are not weeded, etc., it will get a lower price than if it is in first class order. The actual amount of money spent on land purchase itself is 41 per cent; the amount of money given on loan is 37 per cent; and the amount of money spent on services is 22 per cent, of which two-thirds are spent on subsidies of pre-settlement. That is the subsidy which is put into the land before the new farmer actually gets on to it at all, and only one-third of that 22 per cent, i.e. only just over 7 per cent, is, in fact, spent on the administration of settlement. There has been quite a lot of criticism about emoluments and expenses, but shall come to that later, but I do not feel that a mere 7 per cent on administration of an operation of this nature is too bad.

All schemes—and this is with particular reference to the hon. Member's suggestion that they were being put on poor land—also designed to give a substantial element, plus a loan repayment, plus a particular income related to the type of scheme.

In the Central Province, this has been on the high-density schemes, £25 a year, and in the West of the Rift area—where it was felt that because the pressure on land was not so great—we were able to give bigger holdings, the figure was £70 a year.

The hon. Parliamentary Secretary was one of those who criticized the use of settlement officers, which I have covered in my opening remarks. He then came on to the question of the compulsory purchase of seed and said that settlers were made to buy very expensive potato seeds, and why should they not get seed from their friends next door. There are two points here and they are, I think, of tremendous importance, and constituency Members could do a lot to help educating farmers in this question of seed.

The first point is this; that potatoes are a very difficult crop to market. Reference has been made in the debate to potatoes that have been unsaleable. This is so, if you produce a great number of potatoes in this country, you can't sell them, or you can only sell them at a very low price. If you get a high price, it is because there are not many potatoes anyway and, therefore, the grower loses both ways. The answer to the problem of the potato in this country is to export it. Get it out of the country, earn some foreign exchange for my hon. colleague, the Minister for Finance, and get the money into the pockets of some farmers. There are plenty of markets for

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these potatoes; they could go to the Persian Gulf, to all sorts of places, but they can only be exported if they are of a keeping strain. Quite obviously, you cannot ship potatoes if they are going to rot in the ship. This means growing a certain type of potato which you can store, which again, means planting a certain type of seed. This is a very important point as regards the potato. There is a great potential, particularly in the Indian Ocean area, and no doubt Members of the House will be horrified to learn that South Africa has already captured a lot of this market, and it has almost completely captured Mauritius in this regard. We have got to make up for lost time in the question of exporting potatoes, which, in terms of the small-holders settlement, could be a first class crop. It is a very heavy yielding crop; we could get a good price on the export market; but you have got to have the right sort of potato to start with; this is the point about seed.

The second point is this; there is, as many African farmers will know, a very virulent disease which is called "bacterial wilt," which destroys the potato before it comes to fruition and if you get any seed in which this wilt is present, you might just as well have done no work in your *shamba* at all, because you will get no crop. What I have said about seed potatoes on settlement schemes, also applies very much to other types of seed. Never, never, never, attempt to economize on your seed; you do all your work; you plough and *jembi* up your *shamba*; you keep it clean; and if you have bad seed all your work goes to nothing. Good seed can raise your production by 1, 2, or 300 per cent. I do hope that the hon. Member who brought up this point will do his best to tell those of his friends, who are in settlement schemes, the importance of seeing that the best possible seed goes into the land, even if they have to pay a bit more for it, to start with.

The next point made by the hon. Member was that the settlers were encouraged to go onto European farms as cheap labour. The Ministry's policy on this is that the new farmers shall work on their holdings, and shall not come out and take jobs elsewhere. The object of settlement is not to put a man on his land who then immediately absents himself and goes and gets a job elsewhere leaving his wife behind to run the *shamba*. There is plenty of work on these settlement schemes for the whole family. I would add a corollary to this: settlement schemes can only work through the hard work of the man who goes on them. You may get people coming up with complaints saying "we have had a bad deal

from the settlement people" and this sort of thing, and you find in the end that he has gone off to Nairobi; he has got a splendid job and he has left his wife behind; he does not do much work himself and the *shamba* goes downhill, and he says "the settlement schemes are no good". So that is the first point. From the Ministry point of view, we are dead keen on these people, these new farmers staying on their farms and working; we don't want them to go out and work on any farm.

Now, the question of cheap labour. There is an Agricultural Workers' Union operating. I think one would like to make sure that it operates in a wage structure throughout the entire country. I am rather on to the Minister for Agriculture's ground here, but certainly in areas to which the hon. Member has referred, there is the General Agricultural Workers' Union and they are there to protect the worker and the wage structure of the worker and if any farmer is signing a cheap labour under the General Agricultural Workers' Union, he is out of order.

This is a matter which should be brought to the attention of the General Agricultural Workers' Union at once. It is the duty of the General Agricultural Workers' Union to make sure that nothing of this nature is, in fact, happening.

In view of the great surplus which we have been hearing about in this House, I would have thought that it is unlikely that farmers are, in fact, in a position to absorb any more labour at the peak period of picking of cotton or pyrethrum. In view of the labour situation, I do feel that perhaps the hon. Member may have been misinformed in this regard.

The hon. Member then raised the question of evictions following the purchase for settlement, and suggested that we must find alternative employment first for the old workers. Now, Mr. Speaker, Sir, he raised here really a most vital point in the whole scheme of settlement. It has been raised again and again throughout this debate. What is the point of settling people on land if you have got to evict others?

The first point is that we have what we call a "four-year rule". The four-year rule is, that anybody who has worked on the farm for four years or more gets automatic priority in the settlement on that farm. There have been suggestions that four years is too long; it should be brought down. This matter is, at the moment, under discussion, but whatever you bring it down

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to, there is the matter of those who have been there one year or two years, and what happens to them.

The Administration has attempted to deal with this problem by crash schemes and transit camps. I think that the regions themselves may have a responsibility in this regard. I believe that much of the trouble in Nyandarwa today is that there has been some displacement of employees who worked on farms. It is a problem which is of the very greatest concern. I will give the hon. Member an assurance that we are actively now considering this very important problem and what should be done about it, because I agree with all hon. Members here that to have to evict in order to settle is not doing what we want to do, and that a solution to this problem must be found. Meanwhile, anyone who has been on a farm for four years gets an automatic priority for settlement.

I now come to the hon. Member for Machakos North. During his speech in the debate, he said that the Europeans were given exorbitant amounts of money for development and that the Africans should be treated equally. It is perfectly true that farmers in the Scheduled Areas have received development loan money. I think on a fairly general scale, but I would like to tell the House what development money is given to African farmers on settlement schemes. The first thing, which is given him is £100 a family in the Central Region and £160 a family in the West of the Rift. In addition to this, he receives £20 a family in both areas, which go to co-operatives to develop the marketing potential of the area. So this means that each family, whether on seven acres, ten acres, twenty acres or more, is getting £120 East of the Rift and £180 West of the Rift in loan money. This is probably a greater degree of development money than has been given at any time in Kenya's history to a comparable unit, and the charge which it made sometimes, that the African settler is dumped on the land and left there, is not substantiated by the facts.

The hon. Member for Machakos North then went on to say, "do not replace rich farmers by African landlords. There must be an overall plan, even if there cannot be land for all." I agree with this. I, think that the well-to-do farmer of whatever race has his part to play in this country, but settlement, particularly in high density areas, is concerned more with the poorer type of man. I would certainly agree with the point made by the hon. Member for Machakos

North that we certainly do not want to produce only a rich land-owning African class.

He then went on to say that the Minister's salary was all very well if anything was being done at all. I cannot really deal with this remark other than to refute it entirely, to refer him to the figures which we have given and to suggest that the settling of families at the rate of 1,000 a month is not sitting still and doing nothing.

The same hon. Member then went on to the question of the selection of settlers which, as he well knows, is a responsibility of his own local people. He then made the astonishing assertion that the Central Land Board buys land and then evicts people, who have occupied that land for thirty years. I do not know whether he is really in touch with what is going on in settlement, but, as I have explained, no man who has been on the land for four years or more is, in fact, evicted. He does not want fragmentation and he wants co-operatives. I have discussed co-operatives in my opening remarks. If he does not want fragmentation, then presumably he wants co-operatives and, as I have explained, we have promised to look into this.

The next speaker was the Member for Aberdare whose first point was that the schemes are not being productive, and he questions whether the loans can be repaid owing to the drainage difficulties involved. The Ministry accepts that there is a serious position in certain of the settlement areas within his constituency in Nyandarwa. It rained on these settlement schemes for fifty consecutive days and there is no doubt that some alleviation for some of the new farmers in certain of these areas will be necessary.

The second point was that the officers were not encouraging the new farmers. Again, I have covered this, I think, in my opening remarks, but I would like to say to him, that I do hope, very much he will come to the Minister and myself and officers of the Ministry on the 30th when we shall be visiting this area; he can then make any allegations or criticisms he wishes on the spot and in front of the officers concerned.

He then went on to say, "why pull fences down only to re-erect them? Why go a lot of trouble and expense removing the wire, taking up the fence posts and then putting them back again?" Of course, the answer to this is that, as long as you are going to subdivide land, your fences are in the wrong place. Your fences pull down—unless you are particularly lucky—coincide with the boundaries of the various areas concerned. It is unfortunate that this has to be

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done and would be one of the great savings if one were able to move on to a co-operative basis. The agriculturalists recognize this, the savings that would be made. Nevertheless, they have their grave fears over agricultural ownership and marketing.

He referred to the removal of certain fittings in houses after they had been valued. I have heard of these criticisms before. I am deeply ashamed of any who have, in fact, been guilty of such an offence. The Board attempts to cover itself in this regard by revaluing at the moment of take-over, so that although it may make a preliminary valuation of a farm, it is only at the moment of take-over that the final valuation is done. This minimizes this difficulty. Nevertheless, it must be perfectly apparent to everybody that there is room, even if valued today and a man goes out tomorrow, for unscrupulous people to do this and all I can say is that I hope that any charge of this nature refers to very few people.

CONSIDERED RULING

MOTIONS ON THE ADJOURNMENT: LENGTH OF SPEECHES

The Speaker (Mr. Shadi): It is now the time for the interruption of ordinary business, but before calling on a Minister to move the adjournment, I should like to draw the attention of all hon. Members to paragraph 3 of Standing Order No. 12. This is a new provision in our Standing Orders, and I am afraid that I overlooked it the other day when Mr. Mboya raised a point of order on the duration of speeches in adjournment debates, though I remember now that it was actually inserted at my suggestion. I am grateful to Mr. Panjya for having reminded me of it. The particular paragraph of the Standing Order reads as follows: "No Member speaking on any such matter that is a matter raised on the adjournment—shall speak for more than ten minutes, without the leave of the House." So, Mr. Panjya has confined himself to ten minutes. I call on a Minister to move the adjournment.

MOTION ON THE ADJOURNMENT

"KENYANIZATION" IN RELATION TO THE CIVIL SERVICE

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I beg to move that this House do now adjourn.

The Minister for Commerce and Industry (Dr. Kioko) seconded.

(Question proposed)

Mr. Panjya: Mr. Speaker, Sir, I quite realize that I have brought this Standing Order to your attention, which is actually going to be against my own interests. However, the purpose of my Motion this evening is to get a clear and unequivocal answer from the Government on an important problem facing the peoples of this country. This is the use of the terms "Africanization" and "Kenyanization" of the Civil Service. I want to assure my friends—opposite that my motives are sincere and honest and I hope that the Government will not interpret the purpose of this Motion as destructive or seeking publicity as has been the habit from the other side.

Mr. Speaker, last Thursday, the Parliamentary Secretary to the Prime Minister's Office was asked by the Member for Machakos North in a supplementary question, the meaning of the word "Kenyanization", a word which he himself used in answer to an original question which was asked about Africanization. I was very glad that the Parliamentary Secretary used this word, but I was a little upset, when I found a little later he said that for all technical and practical purposes the two words meant the same thing. When he was asked by the Members on this side, he still insisted that the two words meant the same thing. But I have another reason for bringing this matter before this House, and that is that I was reading recently the East African Common Services Report on Africanization, and this is what it says in paragraph 35, and I may quote here: "What do we mean by 'Africanization' and who is an African? These are two terms the use and application of which, have evoked strong emotions and yet very few governments have defined them in clear and unmistakable terms." This was, Mr. Speaker, in March of this year.

Before I go any further I would like, Mr. Speaker, to pay tribute to the Prime Minister for making a speech at Mombasa this weekend, when he assured the local citizens that there would be no discrimination on any grounds whatsoever, as long as people accept the citizenship of this country. Very wise words indeed, Mr. Speaker, and what a wonderful contrast to some of the words used by another Minister at Mombasa, when he was warning the people and the newspapers in a particular region. That is the type of statement he should learn from the Prime Minister.

Mr. Speaker, turning to the main subject, I would like this Government, this evening, to give this country the assurance that in the process of Kenyanization, equal opportunities will be given

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to the people of this country, irrespective of their origins, and that the basis of that selection would be merit and ability. Indeed a criteria which has been accepted in the case of promotion. I suggest that it is important that the Government must clearly come out today with its policy. The youth of this country must know that they are going to have opportunities in the future, as citizens of this country, regardless of their origin or colour. Their parents should also know that they are not wasting their money on education and training for their children and that these children will have equal opportunities, given the fact that they are citizens of this country, with people of all races.

Secondly, Mr. Speaker, I would like the Government also to give an assurance that local citizens will be treated as equals, and will not be excluded in preference to citizens of other African states, which process could also be termed, in my view, as Africanization. Therefore, it is important to distinguish between the two terms "Kenyanization" and "Africanization". I say that the two terms do not mean the same thing.

I understand that the former Coalition Government decided that the word "Kenyanization" should be used in the Civil Service in preference to "Africanization". If the Members on the Government side have not yet followed my point, may I repeat that I want an assurance that citizens of this country will get preference over citizens of other African states.

Now, Mr. Speaker, may I suggest that if the former Governments of this country had taken a firm and bold attitude and accepted the present condition two or three years ago, a lot of the suspicion and misunderstanding that has existed would have been removed, and there would be no room for the justified and genuine fears that have been existing in the minds of the people that origin also—the basis of selection in the Civil Service. Also that there will be no loss of confidence or instability. All those loyal officers who have served this country, let us admit, to the best of their ability, would have continued to devote their energies and they would have been assured that the Government intended to follow a non-racial policy in its entirety.

I realize, Mr. Speaker, that there is a great need to remove the imbalance that is a legacy of the old Colonial Government. But I do not see why these people should be penalized for the old régime and for its actions. Therefore, Mr. Speaker, I have brought this matter, to get the assurances from the Government that I have asked for in this Motion.

Mr. Speaker, Sir, I beg to move.

The Minister for Home Affairs (Mr. Odunga): Mr. Speaker, Sir, I feel I am greatly honoured to stand to clarify to my friend opposite, whom I have greatest regard for, for his sincerity in expressing his opinion. I will also be very sincere to him, and tell him that what he says are just mere terms. Terms of "Kenyanization" or "Africanization" mean very little to what is in the heart. What he should know is what is in the basis of the opinion the African people in this country hold. To what an individual and, as such, he must surely be able to realize that in the past we were just emerging from a state of affairs where we were an African, as a black man, thought of himself as an African, just as equally an Indian in this country thought of himself as an Indian. Europeans in this country were thinking of themselves as European entirely, and that they should be superior to an African. The Asians also were taking the second place, and the Africans were taking the third place. If we, at this very moment, try to pronounce on these things, we will only be trying to contribute to that antagonism of the people trying to say that "I am this and that and that". As such, I would be very unwise to bring this up at a time when we are trying to cover all these things, and to give the Asians a chance of actually adjusting themselves, also to give the Europeans a chance to readjust themselves and the Africans a chance to try to readjust their old, what we call the opinion towards all these other racial groups.

As such, Mr. Speaker, I would tell my friends opposite that by Africanization I think that anyone who lives in East Africa should accept the word "African". I was in Bombay when I was requested, when I was the guest of the Government of India, to go and meet some East Africans in a university there. When I went to Wilson's College in India, instead of meeting Africans I met Indians who lived in East Africa, who called themselves East Africans. Therefore, we must be very clear about this double-talk. Do we want the Indians here to call themselves Africans and content themselves that they are Africans? Europeans who live here, and here I have another example. When I went to London to attend a show I was told that I would see an East African show. When I arrived at the show I found that it was the European settlers from here having their own show.

Therefore, Mr. Speaker, I can never be much clearer than I am today.

Mr. Speaker, I must tell you that I never leave my audience in doubt; I always make myself very clear, and I am today making myself clear.

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that when we want to live here let those people whose bodies may tend to be a little bit white, although it is tainted with African colour, be proud to call themselves Africans. Let also those Asians who are here be proud to call themselves Africans, and let us all call ourselves Africans and accept the policy of our Government now we have a national Government in Kenya and let us all follow that policy and you will not be wrong. At the same time let us accept the citizenship of Kenya without any qualification. You will not then be wrong.

Thank you, Mr. Speaker.

Mr. Ngai: Mr. Speaker, Sir, to my own little mind it is the activities of the individual which really make us feel that the particular person belongs to a particular race. It is the activities of individuals and here I must say the Minister for Home Affairs has really made the position very clear. But there are activities which tend to show us that we still feel that we belong to different racial groups. I am going to put to you a very clear case and of course, following what has been said in this House by one of the Parliamentary Secretaries and a learned man of the law, when he said that Kenyanization meant Africanization.

This is the case of a Goan—and I say a Goan because we have been led to believe that Kenyanization includes everybody—who has been treated as a Goan but not as a person who belongs to this country. This is the case of a man who has worked for eight years in the Kenya Meat Commission and he has been discharged, after being given notice, after being given what I call a forced holiday, because the Kenya Meat Commission thought that it was fit to Africanize this job. I have documents, Mr. Speaker.

The Speaker (Mr. Slade): Mr. Ngai, is this relevant?

Mr. Ngai: I think it is relevant, Mr. Speaker.

The Speaker (Mr. Slade): We are discussing only Kenyanization of the Civil Service.

Mr. Ngai: Am I not allowed, Mr. Speaker, to draw an illustration from outside? I think what I am saying is relevant because it is relevant in the sense that as far as we are examining the terminology of Africanization or Kenyanization and we have Kenyanization in the Motion. That is why, Mr. Speaker, I think it is relevant and not because I am comparing these people's salaries with people who are employed by statutory boards. May I sit down to await your ruling, Mr. Speaker?

The Speaker (Mr. Slade): No, as long as you explain how it is relevant, but do not take too long over it.

Mr. Ngai: Therefore, Mr. Speaker, I am only trying to show that if the Government really plans to make us believe that it is truly Africanization I will ask a clarification from Government because I have brought forward a clear case of a Goan who has recently been replaced by an African.

We must have a definition of what the Government means. When they say “Africanization” it must not have a double meaning. If we are really going to accept what the Minister for Home Affairs has told us that we want all these people here to be a nation it will be very bad for us if we act contrary to this.

Thank you, Mr. Speaker.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I must confess that I fail to appreciate the point that has been made by the speaker who has just sat down.

The Motion is about the Civil Service. The Kenya Meat Commission is not part of the Civil Service. The Minister for Home Affairs has made one very important point which does not seem to have been fully appreciated, and that is giving the background of the circumstances that we are trying to deal with and what we are trying to repair. The circumstances are very briefly this. In the past, until the Commission, the Civil Service was based on three racial services. The salaries, the conditions of service and everything else was racial, with the European employed because he was a European, an Asian employed because he was an Asian and the African left out in the cold because he was an African. It is inevitable that we try to remove this unbalanced position in the Civil Service, and I believe all the Asian civil servants' organizations and the European civil servants' organizations support the need for removing this position from the Civil Service. I do not believe that they oppose the need for accelerated promotion and recruitment of Africans in the Civil Service for the purpose of removing this unbalanced position. I do not believe that that is what the hon. Member of the Motion wishes to convey tonight. There is no question about it. There must be a deliberate policy which enables the Government to bring Africans into the Civil Service. There must be a deliberate policy which enables the Government to recruit and train Africans to take over from non-African expatriates and in some cases other non-African. This is not discrimination, this is to try and repair the damage done by years of discrimination. Sir,

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while this is done, nobody should complain about it, least of all those who have enjoyed the benefits of discrimination in the past.

The Government, therefore, is not making any apologies for the need to Africanize the Civil Service of this country. What we are going to do, Sir, and what we are doing with the Opposition, is to appeal to the Asian and the European civil servants to understand why these steps are necessary. We agree there should not be undue victimization of persons and it is precisely for that reason that various programmes were accepted, such as compensation schemes and various other arrangements within the Civil Service. These schemes were specifically intended to assist the expatriate who was going to lose his job because of the new policy, but so long as Kenya becomes independent, an African country with an African Government there must be an African Civil Service.

We have been asked, Sir, to define what is meant by “Localization”, “Africanization” and “Kenyanization”. I thought that this was so elementary that it did not need a Motion on the Floor of this House. When these policies started, we started off with Africanization, namely intended to give emphasis to the bringing into the Civil Service people with black skins, if you want it as frankly as that. Then there was the need to take into account local persons who may not be black, and therefore the term “Localization” was coined. Now that we are moving towards the end of our struggle for independence, we will soon be having a Bill which defines a Kenya citizen, and therefore there is no need for vagueness. We are, therefore, talking of “Kenyanization”, persons who are Kenyan by virtue of being Kenya citizens, regardless of their colour, race or the country of their origin. That, Mr. Speaker, should be so simple. For the time being, and until the Bill becomes law and we have a Kenya citizenship, the word “Kenyanization” shall, to all intents and purposes, mean “Localization”, and mean “Africanization”. That is precisely what the Parliamentary Secretary said last Thursday. There is no need to quarrel over that word because very soon there will be Kenya citizens, and very soon the Asians and Europeans will have to decide whether they want to be Kenyans or remain foreigners. If a man does not wish to become a Kenya citizen, and apply for citizenship as the law lays it down, then of course he is not a Kenyan and he is outside the term Kenyanization. It is as simple as that.

Mr. Speaker, Sir, the party that now forms the Government has made no secret about these matters, both during the election campaign and pretends not to know about these matters when they were part of the Government that introduced all these new terms, including “Localization” and “Africanization”. The hon. Member who moved the Motion sat on this side of the House when these terms were being defined in those days. He surely knows what they mean.

Mr. Pandya: On a point of order, the hon. Minister has just made a statement that when these terms were agreed to I sat on that side of the House; I would like him to substantiate that because, on the records he might find that I probably was not on that side of the House.

The Speaker (Mr. Slade): I think you ought to state the occasion, Mr. Mboya.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, what I did say, and what I still say, is that the party which now sits in the Opposition, and to which the hon. Member was attached and of which he was a supporter when it formed the Government, this party sat on the Government Benches.

The Speaker (Mr. Slade): Mr. Pandya, I do not think you should worry any more about that, as it is not a very serious allegation, and time is short.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I was going to end up by saying this, that the hon. Member and the party which is now in opposition can help us a great deal in creating this new spirit in the whole country. They should also see that their desire to see all people treated equally without discrimination should not end only with discrimination on racial basis, it should also include the absence of discrimination against up-country workers in the Coast Province.

I hope, Sir, that Kenyanization and the national spirit which the Mover has appealed for will be helped to be adopted by him and the Coast African Peoples' Union and the Kadu people at the Coast will give us a national sense of identity and not a tribalist, negative, regionalistic sense.

Mr. Ngala: Mr. Speaker, Sir, as usual, the Government has been very vague on a very important question. The question is very simple. We want to know whether the Government can define the term “Africanization” as against “Kenyanization”. I think the Minister for Home

[Mr. Ngala]

Affairs has shown us that he knows nothing about the definitions of these two words. I think that it was very important that the Mover should move this question, because it enabled us to get two very clear points out of the Government this evening.

The first point that we got from the Government is with regard to the question of this Africanization being a temporary thing until the proportion is properly balanced. Also we have got it quite clearly from the Government that since the Citizenship Bill is made law there will be no discrimination of any kind at all among the Kenya citizens here.

I think the Minister for Constitutional Affairs must really be the Minister for Constitutional Affairs, he knows very well that in accordance with the Constitution, the Coast Region has every right to choose whom it employs. He, as Minister for Constitutional Affairs, should have known better than to say what he is saying now. It is the right of every region to employ whom they want to employ. This does not mean to say that there will be discrimination on a tribal basis, but, of course, there is the right of the regions, as the employing authority, to choose whom they want to employ.

The Speaker (Mr. Slade): Order, order.

Mr. Ngala: This is written in the Constitution for which the Minister who has just sat down is responsible.

The question, Sir, is that all the Front Benches and the Back Benches would like to be employed at the Coast and I am inviting them, Mr. Speaker, Sir, to submit their applications and if they can qualify with the regional authorities and if they can be considered for employment. Some of these people can be employed in picking cotton.

The other point, Sir, is this question which has not been answered: Whether the Kenya Government would consider other people from other African states instead of people who are citizens of this country, on the basis of their race? The Mover has made this question very clear indeed, and has specifically asked for a reply, but this reply has not been given by any of the Ministers who have spoken. This is a very important point which should have been answered because, in all courtesy, the Mover was serious and very sincere and the Government should have replied.

Now, the other point, Mr. Speaker, Sir—

The Speaker (Mr. Slade): I am afraid that we have now had our half-hour.

Mr. Ngala: Mr. Speaker, I support the Motion.

ADJOURNMENT

The Speaker (Mr. Slade): I now adjourn the House until Wednesday, 17th July, at 2.30 p.m.

The House adjourned at Seven o'clock.

Wednesday, 17th July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

NOTICES OF MOTIONS

ADULT EDUCATION: EXPANSION OF

Mr. Ngala: Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT this House being aware of the special importance of adult education, particularly in the form of *Maendeleo ya Wanawake* urges the Government to take immediate steps to prevent the closure of *Maendeleo ya Wanawake* establishments in certain regions, and to encourage the expansion of every form of adult education.

INQUIRY INTO TERMINAL BENEFITS AND COMPENSATION OF CIVIL SERVANTS

Mr. Alexander: Mr. Speaker, Sir, I beg to give notice of the following Motion:

THAT this House urges the Government to institute an immediate inquiry into the circumstances in which terminal benefits, including compensation, are paid either by Kenya or by the East Africa Common Services Organization to judges or civil servants who have already received similar payment for termination of service in another Colony, or who are proceeding to further public service of the Crown, and report the findings to this House as soon as possible.

ORAL ANSWERS TO QUESTIONS

Question No. 41

K.C.C. SERVANTS AT SOTIK

Mr. Nyamweya asked the Minister for Agriculture and Animal Husbandry: Will the Minister tell the House the reasons which led to the closing of the K.C.C. at Sotik and what arrangements have been made to replace the K.C.C. services for the benefit and interests of the African settlers in the Sotik area?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to reply. In practice Sotik is to be closed down shortly because it has become uneconomic to keep it open and it is running now at the moment

at a loss of £30,000 per annum. This is caused mainly, Mr. Speaker, because of the tea estates who have consolidated their wages to the labourers rather than giving a free issue of milk. However, steps are being taken to form a co-operative association of milk suppliers in Sotik and the Kenya Co-operative Creameries is assisting over this. It will benefit all suppliers, including the new settlers. The association will be able to take over the milk markets at present supplied by the Kenya Co-operative Creameries at Sotik. We are also negotiating to establish a casing plant which will be able to take up to some 2,000 gallons a day from nearby settlers. So, I think the hon. Member who has asked the question must appreciate that Government is really moving on this problem.

Mr. Anyleni: Mr. Speaker, Sir, arising from that reply when can we expect this new plant to be installed?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, when Government has been able to come to terms with the commercial people in the negotiations with them.

Mr. Anyleni: Arising from that reply, Mr. Speaker, before this plant is instituted would the Minister make it clear that the new settlers will not be expected to pay the instalments on the loans?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The settlers are themselves, through the co-operatives, involved in the discussions and they will also be involved in the economic complications of the exercise.

Question No. 42

GROWING AND PROCESSING OF BANANAS

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: (a) Will the Government investigate the possibilities of growing and processing bananas so that this fruit can be exported in a dehydrated state; and (b) will the Government organize the marketing of dehydrated bananas for which there is considerable overseas demand?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to reply. It is not the intention of the Government immediately to investigate local production of bananas with a view to export of the fruit in a dehydrated state. The market for dehydrated bananas is specialized and very limited. There is no evidence to show that there is a considerable

[The Minister for Agriculture and Animal Husbandry]

overseas demand. Mr. Speaker, it is interesting to know that the only place that I can find where there is a demand for this is Switzerland. Therefore I presume, and I am very suspicious, that may be the Constitutional Adviser for Kadu is the man who put this up to the Leader of the Opposition. Over and above that, I find that it is only used by mountaineers. Therefore, Sir, I am sure it could not have been used by the Constitutional Adviser or by the hon. Member who asked the question. Therefore, the question does not arise.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply, is the Government prepared to set up an investigation among the mountaineers and mountainous countries so that we can sell Kenya bananas there?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, is the word.

Mr. Ngala: Mr. Speaker, Sir, is the Government prepared to consult the Governments of Somalia and Jamaica in this matter so that they can obtain some information as to where bananas are sold all over the world?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, that is another question, because neither of those countries operate dehydrated bananas. They operate fresh bananas. For the information of the hon. Member, my colleague the Minister for Finance, and myself, when we were in Italy a few months ago, started discussions with the Italian Government on the possibilities of export of bananas from Kenya.

Question No. 43**RESEARCH INTO STORAGE AND MARKETING FACILITIES OF POTATOES**

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: (a) In view of the fact that there is a large demand for potatoes especially in the Persian Gulf and the Middle East, what is the Government doing to improve the storage and marketing facilities for growers? and (b) will the Government give special priority to research into methods of treating potatoes to make sure that the Kenya potatoes will remain in good condition whilst being stored and transported?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, the successful storage and transport of potatoes is attendant in no small measure on selection by the

grower of mature potatoes of good variety. Careful selection, picking, grading and handling is the first most important aspect of successfully marketing the crop. This matter was dealt with yesterday in great detail by the hon. the Parliamentary Secretary for Settlement. Mr. Speaker, Province Marketing Board, in conjunction with the Central Chief Research Officer on storage methods. These indicate the need for proper selection of varieties and the need to exclude potatoes affected by bacterial wilt. The research priority to which Government attaches highest importance is into the bacterial wilt. The future of potato growing in Kenya will be endangered if the problems created by this disease cannot be overcome. It is one of the factors which reduces the period of storage and the loss in transport. Sufficient is known of the general problems of storage and transport to justify Government giving highest priority at this stage to achieve a better understanding of the impact of wilt, rather than to the refinements of storage and transport techniques.

Mr. Ngala: Mr. Speaker, Sir, arising from the reply, will the Minister state, whether the Government having made it quite clear that it is not interested in storage methods, encourage the growth of the new type of potatoes which can stand transport, amongst potato growers?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, it is wrong to say that Government is not interested in storage. Government is interested in storage, but it is not the storage aspect which is the worrying aspect about potatoes, it is to see that the right variety is grown and that we can keep on top of the wilt and blight problems.

Mr. Ngala: That is no answer to my question.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, if the hon. Member would just care to wait a little and be patient, there are other hon. Members who are also interested in my answer over and above the hon. Leader of the Opposition. The answer to this question is, yes.

Question No. 44**SISAL PRODUCTION BY AFRICANS**

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: What efforts Government is making to encourage sisal production by African farmers?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, the present sisal legislation is unsatisfactory, and I am working on amendments to allow planting, growing and processing of sisal to take place wherever conditions are suitable. Meanwhile—and this is very different from what happened previously—my Ministry is not waiting for the amendments to enable production by African farmers to be increased, and a scheme is now being started in Embu whereby approximately 5,000 acres of sisal are going to be established on a smallholder basis. A similar scheme for Kitui is under examination. The Government is also encouraging increased decortication facilities in Machakos. Indeed, the hon. Member, Mr. Speaker, may rest assured that the Government is taking action to encourage sisal development and does not need to be prompted by any questions from the Opposition.

Mr. Muliro: Mr. Speaker, Sir, arising from the Minister's reply, are these facilities for sisal production being extended to the Lugari settlement schemes?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, that is a matter for the Minister for Lands and Settlement, but I am told that the Lugari settlement schemes, to a large extent, are going to be based on a sisal economy. This means that they must be going ahead with sisal schemes in that area.

Mr. Muliro: Arising from the Minister's reply, Sir, does the Minister suggest that the production of crops on settlement is the problem of the Minister for Lands and Settlement and not the Minister for Agriculture?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Yes.

Mr. Ngala: Arising from the reply, Mr. Speaker, Sir, is the Minister considering making African growers or African workers in sisal estates shareholders to encourage them in growing the sisal?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, what is done on commercial sisal estates is entirely up to the commercial people and the owners of those sisal estates. Our policy as a Government, not only in large commercial agricultural enterprises but also in straight commercial enterprises, is to attempt to have participation possibly through a co-operative system of the workers and also of Government.

Mr. Ngala: Arising from the reply, Sir, can the Minister explain exactly how the Africans in the

Machakos area are benefiting from the whole machinery that is being introduced by the Government?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): By giving better prices.

Mr. Towett: Mr. Speaker, the Minister, in one of his replies, did agree that the problem of crop production in settlement schemes is a matter for the Ministry of Settlement; does he therefore imply that his Ministry has nothing to do with crop production in the settlement schemes?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir.

The Speaker (Mr. Slade): Your answer has not been understood, Mr. McKenzie, are you denying the implication or are you saying that you are not responsible for it?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The answer is no to both, Sir.

The Speaker (Mr. Slade): That is self-contradictory. Perhaps Mr. Towett will ask his question again.

Mr. Towett: Thank you Mr. Speaker. The Minister, Sir, in one of his replies, did agree that the matter of crop production is a matter for the Minister for Settlement; does he therefore agree that crop production as such is not a programme for his Ministry as far as settlement schemes are concerned?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, because of my weight and size I find it very difficult to jump up any quicker than I am doing at the moment.

Mr. Speaker, Sir, the answer on all these settlement schemes is that for the first two and a half years what they grow on the settlement schemes, the production on the settlement schemes and the working out of them are the responsibilities of the Ministry of Settlement. The planning, however, is always done in conjunction with my Ministry, so it is a joint effort.

Mr. Muliro: Mr. Speaker, Sir, arising from the Minister's reply, the Opposition wants a categorical statement from the Government whether the planning of crops, which are cash crops, on the settlement schemes, is the responsibility of the Ministry of Settlement, or the Ministry of Agriculture, because the settlements are being used as guinea pigs.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I would like to call upon you to ask you if we are not getting a long way away from the original question?

The Speaker (Mr. Slade): No, not so long as we are talking about production of sisal.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, the question put to me was about the production of crops on settlement schemes, it was nothing to do with sisal at all.

The Speaker (Mr. Slade): It was with particular reference to sisal.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, would the hon. Member then ask the question again.

Mr. Muliro: The question is, Mr. Speaker, is the production of the sisal crop on the settlement schemes left to the Ministry of Settlement or to the Ministry of Agriculture, which has to organize the marketing as well?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The Ministry of Settlement.

Mr. Ngala: Arising from that reply, Sir, can we have a definite statement from the Government as to which Ministry is responsible for the cash crop policy?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The Ministry of Agriculture.

An hon. Member: The Minister has given us an indication that there is a scheme on this sisal production. May I know definitely from him whether this scheme is a Governmental undertaking or is it a private enterprise?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): These schemes differ; some of them are entirely Government schemes in conjunction with the farmers of the area; and others that we are going forward with are in conjunction with commercial enterprises and commercial agricultural companies and the farmers.

NOTICE OF MOTION ON THE ADJOURNMENT

SISAL PRODUCTION BY AFRICANS

Mr. Muliro: Mr. Speaker, Sir, in view of the unsatisfactory reply by the Minister for Agriculture with regard to the production of sisal on the settlement schemes, may I move a Motion on the Adjournment on it?

The Speaker (Mr. Slade): Yes, you can bring that up on the close of business tomorrow evening.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, on a point of order, I am afraid I have to attend an interterritorial meeting in Uganda tomorrow and therefore would not be here tomorrow evening.

The Speaker (Mr. Slade): Do you not know someone who could answer for you?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I feel that this is an important aspect that ought to be answered by the Minister himself and I am coming back on Friday morning.

The Speaker (Mr. Slade): I think we had better have it on the close of business next Tuesday.

Question No. 45

CANNING AND MARKETING OF OKRA

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: What investigations has the Government made into the possibilities of canning okra and the organization and of an export market for this product?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, neither the original Kadu Government nor my predecessor has made any investigations into the canning of okra, and has not considered that the crop justifies serious consideration as an export crop. However, the Kenya Cannery have examined and sent samples of this crop to the Middle East and to the United Kingdom, and it has been proved that it is of no commercial value as at present. Perhaps, Sir, the hon. Member has obtained certain information, which I am afraid I have only obtained today. I gather that this is well known to Coast people—that this product is an aphrodisiac and maybe he is keen that I ought to look into that aspect of it, if that is the case I shall do so.

Mr. Ngala: Arising from that reply, Mr. Speaker, Sir, is the Minister also prepared to look into the possibilities of this product producing soap and salad oil for the Coast and for Kenya internally?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, I would suggest to the hon. Member that if the Regional Agricultural Committee looked into this matter—as a coastal matter—and then put the matter up to the Minister of Agriculture we might consider it. I am not prepared to look into it.

Mr. Ngala: Arising from that reply, Sir, is the Minister aware that, as such it is not a regional matter and that it is his responsibility?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I never mentioned research. I said that if the members of the Coast Regional Authority wanted to get up a plan, I am not prepared to do research and to waste the time of my research people with regard to this when we know that it is "not" of great value.

Question No. 46

RECRUITMENT OF FOOD TECHNOLOGIST

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: Has the Government been able to recruit a food technologist to help in the development of the export of processed agricultural produce?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I have become highly suspicious of the questions which have been put to me today, that they are originating not from the hon. Leader of the Opposition but from my predecessor.

Mr. Muliro: On a point of order, Mr. Speaker, Sir, does the Minister imply that the hon. Leader of the Opposition is incapable of framing such questions?

The Speaker (Mr. Slade): I do not know what the Minister implied, but I think that any such preamble to his answer is undesirable. Please continue, Mr. McKenzie.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, my Ministry has not been able to recruit a food technologist to date, but much time was spent by my predecessor in looking for a suitable candidate but nothing concrete has resulted. We, in the new Government, are not so impressed with the idea of obtaining such a person; we feel this is a commercial responsibility and I have also spoken to some of the commercial people. We feel that Government should help by assisting food-processing industries in making available a food technologist, and other known Government research people, to particular concerns in furthering Government policy for expansion.

Mr. Ngala: Arising from that reply, Sir, is the Minister implying that processing food is not one of his functions as Minister for Agriculture?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir, if he had listened to my answer he would have gathered not.

Mr. Muliro: Arising from the original reply, does the Minister imply that the development of food technology in this country should just be a matter for private enterprise and not for Government?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir.

Mr. Ngala: Arising from the "No, Sir", is the Minister prepared then to take the initiative and is the Government prepared to take the initiative in this so that there can be processing of food-stuffs?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): In that aspect only.

Question No. 47

PROHIBITION OF IMPORT OF CANNED OR FROZEN FOOD

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: Will the Government prohibit the import of canned, dehydrated and frozen foods which can be produced in Kenya, in order to encourage local production?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, it is the Government policy to encourage the establishment of a food processing industry in Kenya based on supplies to local and overseas markets. Local demand is unlikely to be sufficient in the foreseeable future to justify the establishment of a processing industry which caters for a local market only. Where it appears to be expedient in furtherance of the policy to prohibit the importation of canned, dehydrated or frozen food, prohibition or licence or high-tariff protection will be introduced. One of the factors which will be considered will be whether or not the imported article can be produced in Kenya or a satisfactory substitute can be produced in Kenya.

Mr. Muliro: Arising from the Minister's reply, is he prepared to stop all canned pineapples being imported into Kenya?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): This is in the process of being done.

Mr. Ngala: Arising from the reply, Sir, is the Minister also looking into the possibility of dealing with mangoes?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I do not know which part of my answer the Member is referring to, Mr. Speaker. If it is in the protection of the mango industry because mangoes are being imported, then I would be grateful if he would let me know if they are being imported into this country, either in a processed form or in a fresh form.

Mr. Anyiel: Arising from the reply, Sir, may we have an assurance from the Minister that we shall not be getting any foodstuffs imported from South Africa?

The Speaker (Mr. Slade): This question only relates to the encouragement of local production. It is only relevant in so far as you are looking for protection for local production. I am not sure whether Government regards any imports from South Africa as competing with local production.

Mr. Gichoya: Arising from the reply, could we be assured, Sir, that in future the Government is going to encourage local production and ban the import of foodstuffs which we can produce here?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The answer is yes, Sir.

Mr. Ngala: Arising from the "Yes, Sir", may we have a definite reply from the Minister as to whether in the Coast Region, for example, where there is more fruit than any other place, the Minister intends to carry out an investigation concerning the promotion of local production of our foods?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): This has already been done, Sir.

Question No. 48

DESIGNATED OFFICERS: KABETE VETERINARY LABORATORIES

Mr. Ngala asked the Minister for Agriculture and Animal Husbandry: How many designated officers at the Veterinary Laboratory, Kabete, have given notice that they wish to leave the service of the Kenya Government?; if Government intends to replace these officers; if so, with whom?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. I am taking it that by "Veterinary Laboratory," the hon. Leader of the Opposition means to imply the Laboratory at Kabete and not the whole Veterinary Department.

Therefore, Mr. Speaker, Sir, the answer to (a) is seven, made up as follows: Super-scale Veterinary Officers, three; C Scale Laboratory Technicians, four. The answer to (b) is yes, Sir, appointment, but for as long as the quality for local officers is insufficient to fill all establishment vacancies, recruitment will be through the Department of Technical Co-operation and from any country able to supply suitably qualified persons.

Mr. Speaker, Sir, the hon. Member may like to know that my Minister is already in communication with some foreign countries on the matter of vets. and technicians unavailable locally to fill the vacancies.

Mr. Muliro: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, how many posts are possibly going to be filled within the next six months?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I hope all of these seven.

Mr. Murgor: Mr. Speaker, Sir, arising from the Parliamentary Secretary's earlier reply, which are these countries to which he referred that the Minister is in contact with?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, this matter is still under discussion and I cannot mention the countries now.

Mr. Ngala: Arising from the other reply, can the Parliamentary Secretary give us a break-down of the local people in training with the intention of taking up these posts for which we are looking for people from other countries?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I think this is another question. I am prepared to look into it if the Member gives me time.

The Speaker (Mr. Slade): I do not think it is another question.

Hon. Members: Answer, answer.

The Speaker (Mr. Slade): If the Parliamentary Secretary does not have the answer here now, then he does not have it.

Mr. Alexander: Mr. Speaker, what proportion of the total of such officers is this figure of seven?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Would the hon. Member repeat his question, please?

Mr. Murgor: On a point of order, we did not hear what the Parliamentary Secretary said.

The Speaker (Mr. Slade): He only asked Mr. Alexander to repeat his question. I think people will hear better if they keep quiet when others are speaking.

Mr. Alexander: Mr. Speaker, what proportion of the total of such officers is this figure of seven? In other words, what is the total number of such people employed, and in connection therewith what is the percentage in relation to seven?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir—

The Speaker (Mr. Slade): The Parliamentary Secretary has this one.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I have already said that we have three Veterinary Officers in the Super Scale. I do not know exactly what the hon. Member means in asking me this question. I said that that in the C Scale there are four Laboratory Technicians.

Mr. Alexander: Mr. Speaker, the question does refer to designated officers. I think what is of interest is whether this figure of seven is 100 per cent of the total, is it 30 per cent, is it 10 per cent, because if it is only 10 per cent, it is not, very serious.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, the Super Scale is three out of four, and the veterinary technicians four out of five.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Speaker, Sir, when I have had the opportunity of listening to questions and answers in the House of Commons, I have noticed that it is the practice there that more than one Minister sitting in the Front Bench gets up and answers. I wonder if I could have your ruling if it is in fact correct that in answering questions going from one side of the House to the other, only one Member of the Front Bench may answer. The action which I saw taking place in the House of Commons was that more than one Minister often was involved in answering.

The Speaker (Mr. Slade): It is a matter I will look into, but our past practice in this House and the Legislative Council has always been that the Minister who took upon himself to answer the original question also answered all supplementaries. I will look into that further.

Mr. Ngala: On a point of order, is the Minister in order if he surrenders answers to his Parliamentary Secretary and then suddenly gets up to help him out?

The Speaker (Mr. Slade): I have said that I do not think he is in order in getting up; but there is nothing to stop him briefing his Parliamentary Secretary from his seat.

Mr. Gichoya: On a point of order, Mr. Speaker, can it be made clear that what a Minister does is a Cabinet responsibility, and that any Minister has the full right to answer a question—

The Speaker (Mr. Slade): I have already said I will look into that.

Mr. Khasakhala: Mr. Speaker, Sir, arising from the Parliamentary Secretary's percentages, it seems it is about 90 per cent of the designated officers. Will the Government tell the House what plans it has for the local people, or when are some local people being trained to take over these places immediately?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, this, as I said earlier, referred only to the research aspect of it, and we are obviously going to recruit where we can and we are obviously training people for this course.

Mr. Alexander: Mr. Speaker, Sir, now we know the right percentage, would the Parliamentary Secretary agree that this is a very serious proportion and is there any likelihood of these services collapsing before it is possible to recruit from anywhere else?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): There is no possibility of this collapsing, Mr. Speaker.

Mr. Khasakhala: Arising from that reply, Sir, could the Parliamentary Secretary tell us how soon can these people be replaced and when are they leaving the country.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I think I have answered this already, Mr. Speaker. The other people will be put in before these people leave.

Mr. Ngala: Arising from that reply, Sir, is the Parliamentary Secretary not sure that the service has already collapsed. These officers have left and those who are to be obtained from overseas are not yet available and no local people have come up. So the service has already collapsed. Can we get assurance from him?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Is the hon. Leader of the Opposition in order in stating, without substantiation, that the services of this Government have collapsed?

The Speaker (Mr. Slade): I think he couched it in the form of a question.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, the question says here that these people have given notice to leave; they have not yet left.

Mr. Glehoya: From one of the Parliamentary Secretary's replies, may we be assured that we shall have the emphasis on Africanization rather than Kenyanization or localization.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): From yesterday's replies from this side of the House, I think those words mean the same thing and the answer is yes.

Mr. Ngala: Mr. Speaker, Sir, can the Parliamentary Secretary give me an assurance that he will give me in writing a reply on the local people that he is bringing up and training as he has failed to answer here in this House.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I do not think, Mr. Speaker, that I have failed to answer his question. If he wants it in writing I will consider doing so.

The Speaker (Mr. Slade): You have not yet answered that particular question. You remember the question was how far had you got with training local people. You said you could not answer now but you would find out. He is asking you to put that answer in writing.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I said, yes, Sir.

Question No. 49

DISPOSAL OF CROPS FROM SETTLEMENT SCHEMES

Mr. J. M. Karluiki asked the Minister for Agriculture and Animal Husbandry: Is the Government prepared to buy milk, potatoes, pyrethrum, etc., at guaranteed prices from settlers who have taken their farms under settlement schemes and if not will Government tell the House how it expects them to dispose of their crops?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, there is a policy in my Ministry to treat settlers in the

settlement schemes in the same way as it does any other farmers. The crops harvested by the settlers are thus processed and marketed as they are in adjacent areas: in Fort Hall, Bungoma, Brasinga Islands, Solai or even Kilifi. Similarly, any guaranteed prices for produce applicable in areas. They cannot expect to receive special treatment over prices from my Ministry.

The Ministry of Agriculture has recently produced a Cash Crops Paper and the principles laid down in that Paper have been accepted by the Ministry of Settlement. There is close co-operation between the two Ministries in ensuring that effect is given to the agreed policies. Both Ministries are doing all they can to expand cash crops markets and a disposal of surpluses within the (Inaudible) programme laid down in the Cash Crops Policy Paper which is intended to benefit settlers as well as other farmers. Over and above this, Mr. Speaker, this question was more or less answered by the Parliamentary Secretary in his reply yesterday. I am also told by him that he is going to reply to this very similar question at further length during his continued reply this afternoon.

The Speaker (Mr. Slade): We do not want to get questions mixed up with debates and I think we should leave this for the Parliamentary Secretary's reply. I would not have allowed this question at all if I had known that it was going to be dealt with in a current debate.

MOTION

REDUCTION IN BILLS PUBLICATION PERIOD.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to move:—

That the period between the publication of the Land and Agricultural Bank (Amendment) Bill, 1963, and the Dairy Industry (Amendment) Bill, 1963, and their introduction into this House be reduced from fourteen days to seven days.

The Minister for Commerce and Industry (Dr. Kioko) seconded.

(Question proposed)

Mr. Muliro: Mr. Speaker, Sir, the Government must know that the publication of Bills and their introduction in this House is not for the convenience of the Ministers but for the convenience of the representatives of the people

[Mr. Muliro]

of this country; to study the Bills, know what are the contents before we can debate the Bills in this House.

Therefore, Sir, the Minister must give us exact reasons why he has decided that these two Bills should be published only for a week before we can debate them in this House.

The hon. Minister, Sir, in moving the Motion just read what is said on the Order Paper and never gave reasons at all of why he wants the separate requirements of two weeks to be reduced to only one week. Therefore, it is not a question of time, Mr. Speaker. The Minister moved the Motion. He must therefore give reasons and we cannot have people who are being paid by the taxpayers of Kenya getting up, reading what is on the Order Paper without giving reasons to the people who pay them.

Therefore, Mr. Speaker, we on the Opposition oppose this completely.

Mr. Pandya: Mr. Speaker, I would like to support the hon. Member and to say that it was understandable in the old days when we had to wait for forty days. The reduction of that period was quiet justified at times, but, Mr. Speaker, I do want to urge upon the Government the fact that now only fourteen days are allowed for hon. Members to have a look at this Bill and, unless very good reasons are given, I strongly oppose the Motion.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I do not think that after you had proposed the question the hon. Member for Trans Nzoia could see the Minister for Agriculture who was standing up before him, but gave way. Would it not have been better, Mr. Speaker, if the Minister were given the opportunity and convenience to do so, but he must be given an opportunity to explain Government's position and I am quite sure, the Government will give every opportunity for the Opposition to air its views.

Mr. Towett: Could we be told what the exact procedure is? Is the Minister in order to move and then to sit down and once again to stand?

The Speaker (Mr. Slade): I was going to point out that the Minister was too late to explain his Motions. Having moved the Motion and sat down, had it seconded and proposed, he cannot speak again until the time comes for him to reply. However, it is open to another Member of the Government to explain the reason for this Motion.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, would it not be much better for the Opposition to have a little more of that which they lack most, patience, because it is quite clear that the Minister will reply to their satisfaction.

The Minister for Home Affairs (Mr. Odunga): Mr. Speaker, Sir, I think this is a Motion which is self-explanatory, and it is one which, if the Opposition did not take pleasure in delaying matters and wasting time and money of the taxpayers which they—

The Speaker (Mr. Slade): It is quite out of order, Mr. Odunga, to suggest that hon. Members, by raising reasonable protest to a Motion, are wasting the taxpayers' money or wasting time.

The Minister for Home Affairs (Mr. Odunga): I will accept your ruling, Mr. Speaker, but I was just commenting on the charge which one of them has just made in this House. We were only trying to save time because there are just a few amendments to the Bill, and if the Opposition cannot study these in seven days, I do not see how they will study them in fourteen days or even forty days.

Therefore, Mr. Speaker, I beg the House to allow us to move quickly and to support this Motion.

Mr. Ngala: Mr. Speaker, Sir, I think everybody must sympathize with the Minister for Home Affairs in this, because the Land and Agriculture (Amendment) Bill and the Dairy Industry (Amendment) Bill are two very important Bills for this country and for the development of agriculture. They affect the hearts and the economic building of all the people. If the Government wishes to amend any Bill of such importance, then it is up to the Government to stand up and explain to us why it requires a shorter time than provided in the Standing Orders of this House. It is not sufficient just for the Minister to stand up and read what is put on the Order Paper, then to sit down, and expect the Opposition just to accept this. I feel that it is not self-explanatory at all, as stated by the Minister for Home Affairs. He does not understand properly the implications, and even in his own submission he has not indicated the small nature of these amendments at all for the Opposition to consider the question. For this reason I would support the hon. speakers who have very strongly objected to this requirement.

Mr. Towett: Mr. Speaker, Sir, if the behaviour of the Government in the way it is approaching things is going to continue, we shall soon

[Mr. Towett]

go over to their side and take over this Government. Here we are given nothing at all to tell us for what reasons we must reduce fourteen days to seven. What we want is to be told here by a Minister—if there are any here, and I think there are some—precisely why this period should be reduced. That is what we are asking this set-up of hon. Members, Sir, to do. We are asking the hon. Ministers here to tell us the reasons why they want the fourteen days to be reduced to seven. We have not objected to the period yet, but we want reasons, we do not want just to be driven on one person's bus and perhaps to South Africa. Mr. Speaker, Sir, it is a little shocking, I am beginning to learn that the Ministers we have to-day are not aware of what they should be doing. What we are asking on this side of the House is to be told—

Mr. Ngab-Ahok: On a point of order, Mr. Speaker, is the hon. Member in order to state that the present Ministers are not aware of what they are doing, to allege that and not substantiate it?

The Speaker (Mr. Slade): That is the kind of allegation which I have described as a matter of opinion; it can never be substantiated as a fact.

Mr. Towett: Mr. Speaker, Sir, I did not say the present Ministers were unaware, I said they seemed as if they were unaware, and to seem is different from being it, Sir.

I was saying that what we want is just somebody with eight years in school to stand up and say, "For the following reasons we want the amendments to go through in seven days." We do not want these highly educated people to tell us, we just want to know the simple reasons why this period should be reduced. Mr. Speaker, Sir, I beg to move an amendment to this Motion in view of the Government's inability to tell us the reasons. The amendment reads as follows, Sir: "That the period between the publication of the Land and Agricultural Bank (Amendment) Bill, 1963, and the Dairy Industry (Amendment) Bill, 1963, and their introduction into this House be left at fourteen days."

I beg to move, Sir.

The Speaker (Mr. Slade): No, we cannot have an amendment like that which is simply a negation of the Motion. All that hon. Members have to do if they support that line of thought is simply to oppose the Motion.

The Parliamentary Secretary for Health and Housing (Mr. Arwyns-Kodhek): On a point of order, Mr. Speaker, after hearing the Government

views and the Opposition views from the other side, I think that this is the proper time for the Mover to reply.

The Speaker (Mr. Slade): No, I am not going to allow the closure of this stage. The hon. Members on the Opposition are complaining that they had not yet heard reasons from the Government. They are entitled to hear a reason and to comment on it before the Mover replies.

The Minister for Commerce and Industry (Dr. Kiiano): Mr. Speaker, Sir, it is a well-known fact, particularly by the Members of the Sessional Committee, that we shall be having a recess some time in the not very distant future. In view of what my colleague, the Minister for Home Affairs, indicated, we thought that since it is a very important Bill and since the amendments themselves are not very extensive, we should allow seven days to the House to study these amendments and give the House enough time to debate this Bill and have it passed before the House adjourns for the recess.

As a matter of fact, since the debate has now started, it would be somewhat improper to assume that Government is not going to give reasons because the Mover himself is going to give reasons; all he wanted was to move the Motion, have questions raised, and then to reply explain the reasons. What has happened now, Mr. Speaker—

The Speaker (Mr. Slade): Dr. Kiiano, that is a very unusual procedure.

The Minister for Commerce and Industry (Dr. Kiiano): I accept your comment, Mr. Speaker, that it is an unusual procedure, but certainly it is not against the Standing Orders of the House.

The Speaker (Mr. Slade): I think what Dr. Kiiano says is rather important. It is true that it is not laid down by Standing Orders, but the whole point of our procedure of debate is that the reasons for the Motion are given at the start, there is then comment on those reasons, and there is then a reply to the comments made, not further reasons given in the reply.

The Minister for Commerce and Industry (Dr. Kiiano): Thank you very much, Mr. Speaker, in view of what you have just ruled, with which I fully agree, may I say therefore that in view of the fact that the speakers from the Opposition have all said the same thing—that is, they want the Government to give reasons—I would support very much the views which were indicated in the point of order raised by the hon. Parliamentary Secretary for Health and Housing, and I would request whether it would be appropriate at this stage, Mr. Speaker, to ask the Mover to reply.

The Speaker (Mr. Slade): Mr. Kiiano, I think has suggested the closure. I prefer that the closure should come from someone who has not spoken, rather than someone who has made his speech and then wants to close the debate.

Mr. Khasakhala: Mr. Speaker, Sir, I fail to understand the Minister has laid a Bill that we are being asked, on this side, to pass. We are asked to agree to the number of days limited on it, and yet the Bill has not been circulated to the Members. It could be that hon. Members on the Government side have received the Bill, we, on this side, have not yet received it. There is not a Member on this side of the House who has received the declaration of this Bill. If we come to the House to debate and we are asked to limit the number of days without being given a reason and without seeing the Bill, I think it is very unfair. I therefore would ask the Minister to withdraw his Motion until we have studied the Bill and then present this Motion again.

The Speaker (Mr. Slade): I think this is a very unsatisfactory state of affairs, and I think there may have been some slip of procedure by the hon. Mr. McKenzie in that he meant to speak to the Motion and somehow got left behind. If that is so, I think it would be the will of the House—in spite of our ordinary rules—that he should speak now to the Motion and should have the right to reply after he has heard further comment.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I was actually beaten to it by the hon. Member for Kitale who jumped up so quickly before I could—

The Speaker (Mr. Slade): No, Mr. McKenzie you must understand that you had moved and had sat down, the question was proposed and you had had your speech until the time came for you to reply; but you misunderstood the position, and in spite of the rule of only one speech before the reply, I am quite sure all hon. Members would like to hear now what you intended to say to them.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I do apologize to the House, I had fully intended, as you quite rightly said, Mr. Speaker, to speak to this but I misjudged the aspect of it having to be seconded after I had spoken rather than before I had spoken. Would the hon. Member opposite like me to sit down so that he can stand up and say what he wants to say?

The Speaker (Mr. Slade): I expect that hon. Members, having asked for information on this point, are now going to keep silent to hear it.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, the position is that the amendment to the Dairy Industry Amendment Bill is, in itself, as hon. Members will see once they have read it, a very small amendment indeed. It is covered in one paragraph. It is necessary for the dairy industry for this amendment to be made, and it is unfortunate that in the original Bill it was left out. It is making it very difficult for us to continue to operate the Dairy Bill without the House's consent to this amendment. I will explain that more when we come to the amending Bill.

The other Bill, Mr. Speaker, is a very important Bill because it means that unless this Bill is passed, loans to farmers, mainly African farmers, cannot go ahead at full speed. Over and above this it is well known that there is pressure being brought to bear from the Opposition that this House should stop sitting sometime towards the end of this month. Government, as a good Government should, would like to meet the feelings of the Opposition and perhaps be able to stop the sitting—

Mr. Muliro: On a point of order, Mr. Speaker, does the hon. Minister suggest that the Sessional Committee, which decides the sittings of this House, is under the direction of the Opposition?

The Speaker (Mr. Slade): I do not think he did suggest that.

Mr. Muliro: Mr. Speaker, the hon. Minister said very clearly that the Opposition has asked for them to do this, but all plans are made by the Sessional Committee.

The Speaker (Mr. Slade): This is not a point of order, it is more a question of fact. The Sessional Committee is certainly under the control of a majority of Government, if it wishes to use that control, and the Sessional Committee advises the House on procedure; but I think what the Minister is referring to is what happened in the Sessional Committee, and that is not a point of order, it is a story.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I will repeat what I have said so that the hon. Member will be able to listen. If he would only stop writing then he would be able to listen attentively rather than to listen—I know it is practically impossible—while he is writing.

Mr. Speaker, Sir, what I said was that there were views in the Opposition who were keen on this sitting of the House stopping sometime towards the end of the month. That is exactly

[The Minister for Agriculture and Animal Husbandry]
 what I said and HANSARD will prove that. Over and above that, Mr. Speaker, I said that it was the intention of our Government, which is a good Government, to take into account the views of the Opposition and, this being the case, we do not want to come into August just to take these two Bills. I will give an assurance to the House that I will take this nearer to the fourteen days than to the seven days, it depends entirely upon when the House is going to rise. This will give the hon. Members opposite enough time to read this one little sheet of paper and also to read the other Land and Agricultural Bank (Amendment) Bill.

Mr. Speaker, I now beg to move that the period between the publication of the Land and Agricultural Bank (Amendment) Bill, 1963 and the Dairy Industry (Amendment) Bill, 1963, and their introduction into this House be reduced from fourteen days to seven days.

The Minister for Education (Mr. Otiende) seconded.

Mr. ole TIPS: Mr. Speaker, Sir, I think I must make things very, very clear, especially to the Government side. They showed this afternoon that they want to minimize everything by moving the very important amending Bill which the hon. Minister has just moved.

First of all, Sir, we had two or three hon. Members on the Government side who even went to the extent of moving that the Mover be now called upon to reply, when we have had no reasons whatsoever for this. I do not know what they think we are, whether we are here just to be strangled by an unreasonable Government, I do not know. There were some very queer phrases used; on the one hand, the Minister has just now told us that this money would help the African farmers. It was only yesterday, Sir, when it was said that we would get away from the word "African" and we would call ourselves instead "Kenyans". I should have thought the Minister would have said the Kenya farmer and not the African, European or Asian farmer.

The Speaker (Mr. Slade): You are going away from the point of this Motion.

Mr. ole TIPS: Thank you, Mr. Speaker.

The Minister himself has rightly agreed that he will give not only the Opposition, but even some of the Government Back-benchers, time to study this amending Bill fully. As such, I think the Motion before the House ought to be amended.

again, if the Minister agrees. We are not asking for something that is unfair, we sympathize with him that he is in such a hurry.

Mr. Speaker, Sir, I would like to move an amendment which would read:—

THAT the period between the publication of the Land and Agricultural Bank (Amendment) Bill, 1963, and the Dairy Industry (Amendment) Bill, 1963, and their introduction into this House be reduced from fourteen days to ten days.

I think this is quite reasonable and fair, and if the Government is fair and reasonable they will give us the reasons for this drastic reduction and will definitely accept this amendment.

I beg to move, Sir.

Mr. Shikuku: I beg to second the amendment.

Mr. Nyagah: On a point of order, Mr. Speaker, is it in order for an hon. Member to move an amendment without giving notice in writing?

The Speaker (Mr. Slade): I usually require notice in writing. What I do normally require is that the amendment should be written out and handed to me prior to moving. When it is actually the alteration of one word or figure I do not hold strictly to it. The amendment is the proposed alteration of the word "seven" to the word "ten", and therefore I think we can dispose with that rule.

Mr. Shikuku: Thank you very much, Mr. Speaker.

This is a very important item which has already been emphasized by the person who has spoken before me. I think the amendment moved by the hon. Member on this side of the House is very reasonable. We have been accused time and again that we on this side are out to waste the time of the Government, and one of the hon. Members on the opposite side made it clear that they were out to save time. We are not against the saving of time, but if it were the question of saving time there would be no need to bring this Motion of an amendment here, the Minister should deal with it outside the House. Here, Mr. Speaker, we are representatives of the people and whenever we go to our people they tell us things which we are supposed to convey to this House. It is very important that hon. Members on both sides of the House should be able to study fully this Bill.

One gets rather offended, Mr. Speaker, Sir, when hon. Members try to speak—

An hon. Member: Mr. Speaker, Sir, I would like your ruling on this word "honourable" or "hon.". When the hon. Member talks about "hon." I think he is talking about "horns".

The Speaker (Mr. Slade): A matter of pronunciation is not a point of order.

Mr. Shikuku: Thank you very much, Mr. Speaker, for your ruling.

An hon. Member: I want your ruling on this, Mr. Speaker. The hon. Members on the opposite side are referring to the Government side as an unreasonable Government. Is that in order?

The Speaker (Mr. Slade): I do not think we would have very interesting debates if hon. Members did not sometimes describe the other side as unreasonable. They are quite entitled to do that, as long as they give their reasons for saying that others are unreasonable. The weight of this can be judged by their own reasons.

Mr. Shikuku: Thank you very much, Mr. Speaker, Sir.

We have had several interruptions which are not points of order, and I wonder when other hon. Members on the other side of the House are going to learn what a point of order means. They waste a lot of time here.

Mr. Speaker, Sir, I think that this Bill in itself is a very, very important Bill. The hon. Minister for Agriculture has proved to this House that he is a very reasonable man when he actually apologized for having not had the chance to put the reasons to us. I think it is only in all fairness that the amendment should be accepted by this House as a sign of goodwill between the Government and this side of the House so that we can have enough time to debate this important Bill. We are not here to waste the time of the public and the time of the hon. Members in this House, we are here to understand and contribute constructively to whatever Motion is brought in this House in the interests of the country.

It is very, very unfair of some of the hon. Members on the opposite side to imply that we on this side of the House are here as people who have only come to waste time. We are not wasting time. We are here to contribute reasonably. We should have time to study the Bill and it should not be rushed through by these people just because they happen to be Ministers. They can never be Ministers, and a Government will never be a Government, unless there is an opposition. We are part and parcel of the Government.

With those few remarks, Mr. Speaker, I beg to support the amendment.

(Question of the First Part of the Amendment that the words proposed to be left out be left out proposed)

The Speaker (Mr. Slade): Debate on this must, of course, be combined with debate on the main question.

Mr. De Souza: Mr. Speaker, Sir, it is not the intention of this side of the House to try to steamroller any particular Bill; but as the Members of the Opposition know, this House was not going to sit after the end of next week, which would, in fact, have given the House nine days. I am sure the hon. Members would have liked these two particularly important Bills to be passed before the end of next week. However, it is now known that this House will sit for at least another week after that, and I have the assurance of the hon. Minister—and I have his authority to say this—that he will do his utmost to make sure that as many days as possible are given to the Opposition to enable them to study this Bill. If possible, it will be up to ten days and perhaps a little more, if the timetable of this House makes it so convenient. However, in these circumstances, Sir, I do hope the Opposition will find it possible to withdraw their amendment so that we can get down to business. I have already given them an undertaking on behalf of the Minister that the Government will give much time as possible consonant with the timetable of this House to the Second Reading of this Bill. I hope in those circumstances, when the Government is being all that reasonable and is willing to give them such a clear and categorical undertaking, they will also be reasonable and not insist on this particular amendment.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): I beg to move, Mr. Speaker, that the question be now put.

(The question that the question be now put and carried)

(The question of the First Part of the Amendment that the words proposed to be left out be left out put and negatived)

(Debate on the original Motion resumed)

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osoyo): Mr. Speaker, Sir, I propose that the Mover be now called upon to reply.

(The question was put and carried)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) Mr. Speaker, first of all I would like to thank you for the opportunity which you gave me to speak again after I had made an error.

I would also like to raise one point which was raised by the Opposition that I had said that this was for the benefit of the African farmer. The position is that under the present legislation European farmers are already benefiting. This means that all farmers of Kenya will be able to benefit.

Sir, I was a little disturbed that, after the Deputy Speaker gave an assurance on my behalf that I would be prepared to go to ten or twelve days if the Opposition withdrew the Motion, they were not prepared to withdraw the Motion, and in fact commented that they were against it. What I would like to say is that even so, Mr. Speaker, I am prepared to give an assurance that I hope I may be able to go longer than ten days. The only reason for reducing the time below fourteen days was to take care that it does get through during this sitting. If the sitting goes on for three weeks, then obviously this Bill will not come on till over and above fourteen days.

With that assurance, Mr. Speaker, I would like to move.

(The question was put and carried.)

COMMITTEE OF SUPPLY

(Order for Committee read.)

(The Speaker (Mr. Stole) left the Chair.)

IN THE COMMITTEE

(The Chairman (Mr. De Souza) took the Chair.)

MOTION

GUARANTEE OF LOAN REPAYMENT: EAST AFRICAN COMMON SERVICES AUTHORITY

The Minister for Works, Communications and Power (Mr. Mwanjumbi): Mr. Chairman, Sir, I beg to move:—

That this House agrees that the Government of Kenya shall guarantee, jointly and severally with the Governments of Tanganyika and Uganda, the repayment of a loan of £2,050,000 made to the East African Common Services Authority by Her Majesty's Government, together with interest thereon.

The Motion as it appears on the Order Paper is quite simple and straightforward, but I would like to give a brief explanation as to what it

means. During the last Central Legislative Assembly meeting, a Motion was passed which gave legal authority to the East African Railway and Harbours Administration to look for possibilities of raising money totalling some £7 million sterling for capital development programmes with East African Railways and Harbours. The present Motion, however, refers to a sum of money of £2,050,000. This money has been made available by the Export Credit Guarantee Department of Her Majesty's Government in the United Kingdom. It has been customary in the past, Mr. Chairman, that when we have loans of this kind given to East African Railways, the three East African Governments are asked to give guarantees for the repayment of the loan. The Government of Tanganyika and Uganda have given consent that they will be able to give guarantees for the repayment of these loans, that is of £2,050,000. Therefore, what I am asking the House today is that the Kenya Government, also, should give consent that we will guarantee that the money will be repaid by the East African Railway and Harbours Administration.

The money will be used for the following purposes: it will be used to improve what we have in the railways. It will be used, for example, to buy electric locomotive engines which will replace the locomotive engines we have now that are getting old and rather uneconomic for us to maintain. If these locomotives are purchased, we may be able to use those we have now, the old engines, on other lines. The intention is that when these new electric diesel engines are purchased, they will be used along the main lines between Mombasa, Nairobi, Eldoret and Njirum. Some of the Members may have seen the new diesel engines which run between Nairobi and Nakuru already. That is the type of engine we want to buy.

East African Railways and Harbours propose to use £1 million for the purchase of these diesel engines. That money will purchase eleven engines.

As hon. Members: Where from?

The Minister for Works, Communications and Power (Mr. Mwanjumbi): You know where from.

East African Railways and Harbours feel that these engines will repay their own cost in their lifetime. It is agreed that a railway engine will last for about twenty years, and within that time it should be possible to repay the cost of purchasing them.

The remaining £1,050,000, Mr. Chairman, Sir, will go towards the purchase of wagon ferries with their ancillary shore equipment for service

[Minister for Works, Communications and Power]

on Lake Victoria. The Lake is a big national waterway linking the three East African territories, and with the present development schemes going on now around the Lake, the productivity has increased and the Railways feel they have also to improve the waterways on the Lake. The steamships we have at present on Lake Victoria are getting old, and we feel we should get new ones to replace the old ones in order to be more efficient.

Two wagon ferries will be bought with this £1,050,000, and they will be operating between Kisumu, Mwanza, Musoma and Jinja.

Hon. Members will know how difficult it is today to get money of this amount from overseas. It is noted that East African Railways must be congratulated in what they have done to raise this loan for us. Maintenance of the railway system is of vital importance to us for all the economic programmes we have for development. The loan, of course, will be paid back with interest which will be calculated in the United Kingdom and the Treasury here. It is anticipated that the total redemption will take place after twelve years, but we shall have an initial moratorium of eighteen months before the repayment is made.

I would repeat that the other Governments have already given consent to guarantee repayment on this loan; it is only for this House to give that guarantee. I am not asking the Government to pay any money, but just to give that guarantee.

Therefore, I now beg to move the following. Mr. Chairman: that this House agrees that the Government of Kenya shall guarantee, jointly and severally with the Governments of Tanganyika and Uganda, the repayment of a loan of £2,050,000 made to the East African Common Services Authority by Her Majesty's Government, together with interest thereon.

The Chairman (Mr. De Souza): Mr. Mwanjumbi, has the Governor's consent been signified?

The Minister for Works, Communications and Power (Mr. Mwanjumbi): Yes, Sir.

(Question proposed.)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, Sir, in accordance with practice, I rise on behalf of the Minister for Finance to notify the House of the total of the Government's

contingent liabilities in respect of loans and bank overdrafts which are the subject of guarantees by the Government. At 30th June, 1962, these amounted to £8,615,217.

Mr. Ngala: Mr. Chairman, Sir, I would first like to say that we are very tired of this habit of the Kenya Government being dictated to by people overseas who wish to loan them money for purposes only accepted by the people who grant the loans or give the grants. Here is the Minister who appears to be completely blind to the implications of these loans.

I would like to know three points. First, is it really necessary that the Kenya Government, or the East African Common Services Organization, should accept a loan of £2 million to improve the engines of the locomotives? Is it not sufficient in the present financial circumstances in which we are in East Africa that the present engines are adequate enough? I think the Minister travels quite comfortably from Nairobi to Voi with the present engines, and I travel quite comfortably from Kisumu to Mombasa with the present engines. Why is it that we should be committed to such a big sum when we could have more important projects that could help the poor people who want settlement in other areas, and want more important projects that will be of benefit to them in giving them more employment. Those people are brushed aside and here is a scheme which is out to make rich establishments much richer than they already are.

Now, I think that the Minister should not give way to whatever persuasion that comes from Uganda and Tanganyika in these matters in view of the more important projects that could be undertaken by this Government with a loan like this so as to improve the economic standard of the people as a whole.

The Minister says that this is just a guarantee. He is not asking the Government or this House to spend money. Well, if he is not asking the Government or this House to stand a guarantee which really means financial responsibilities why bring this Motion here to the House if there is no financial implication at all? I take it, Mr. Speaker, Sir, that the Minister is well aware of the financial implications involved here. I am only objecting to it on the basis that it is not necessary to buy new locomotive engines to use between Mombasa and Nairobi as a project. This money could be used otherwise and if the Minister has plans for helping the poorer people in Kenya surely he should ask the British Government, which is prepared to lend this money, to consider lending it for use on different projects which will benefit the poor people.

[Mr. Ngala]

As Minister for Communications I think he could probably look around for roads which need a great deal of improvement. There are certain areas where the roads are in a bad condition and part of this loan could be spent on improvement of the roads instead of improving a railway service which is almost the best in Africa. We are using money on a completely unnecessary project.]

I now turn to the two wagons on Lake Victoria. I think the services over Lake Victoria is very adequate. It was only last year that we had a new service and a new ship launched and I was invited there (and the Minister for Home Affairs is quite aware of this). We were told there that the Government's intention was to improve and increase the services over Lake Victoria. Therefore, there is no need to have these further two wagon ferries as the Minister has indicated.

I think the Minister should give an explanation of the main projects he wants to carry out in order to improve particular services. The Minister says that we need to improve the railways system because there are many projects that he wants to carry out in East Africa. I would like to know what projects have been hindered by the inefficiency of the present locomotive engines, or the present railroads systems. We have often read the East African report on the railways and their administration. It can be called one of the best in Africa.

In view of the financial difficulties that we are facing in East Africa and in Kenya I think it will be very unwise for the Government to entertain this guarantee and I would like to reject very strongly the idea that this guarantee does not imply any financial implication on the part of the Kenya Government or on the part of this House.

Therefore, I would very much like to reserve our position in regard to this guarantee until the Minister has made it quite clear that the communications services that we have today—the road and air services—in East Africa really do not give us adequate services nor permit the Minister to carry out the modifications under the present situations. Particularly with the difficulties of unemployment when people have been pressing the Minister for further money for settlement why is the British Government not prepared to give us this money to spend it elsewhere where more employment can be provided and where more agricultural industries will be provided for the creation of economy generally in East Africa or in Kenya. I would, therefore, like to reserve my position in this matter and feel

that it is completely unwise for the Kenya Government to agree to being dragged into giving a guarantee over money which is quite unnecessary in view of the already superb services that we have with the railways.

Mr. Khasakhalah: Mr. Chairman, I would like to make a few observations on how we, on this side of the House feel regarding the guarantee of the loan.

I think the reasons the Minister has given us this afternoon for the raising of this loan are not satisfactory to the Members on this side. We feel that it is just a loan being taken to improve certain facilities which already exist. He has not told us, as my leader has said, why these existing facilities should be improved. Why should we replace the present engines with new ones. He has not told us whether there have been breakages or whether there are some engines which have to be taken away and replaced. I am sure, Mr. Chairman, that we have a very adequate railway service in East Africa at the moment. It is quite satisfactory and I do not see any person who finds it difficult to travel by rail with the present engines. If this loan was utilized to extend the railway line from Butere to Tororo that would be something beneficial to the country, because that would be the construction of a new line to link up various places in East Africa.

If this loan was to be used to tarmaise the road from Kisumu to Uganda. I am sure the hon. Member, the Minister for Home Affairs, would be very pleased at the idea of having such a good road passing through his home town to Uganda.

But to have to guarantee such a loan for the projects mentioned is very unusual and very unwise. We do not see the reason. The Minister has also not stated how much the other two of the three territories are each going to pay, if at all they are to help pay back this loan. If we are to guarantee the payment of this loan we must know this. Secondly, the Minister has not told us how much interest is required to be paid over the period of twelve years. What part of the interest on this loan are we in Kenya to pay?

The Minister has spoken of installing two ferries on Lake Victoria. I think that at the moment Lake Victoria has very good services because we have about three main steamers which carry passengers to Uganda and we have quite a number of motor-boats going to other areas. Why should we go to the expense of having more ferries? The first and immediate need of this country is to have projects to help the poor.

[Mr. Khasakhalah]

The Government should give us reasons—and good reasons—why it wants us to guarantee this loan. If we can be given better reasons than those we have been given this afternoon we may consider our decision. We have only been told that this loan is for improvement of the railways and since this does not need further improvement why should it be improved? I have been to Somalia and Sudan and I find that we are far ahead of those countries in our services. Why, therefore, should we improve these services when there are other things to be improved? I think it is a complete waste of money.

If the Minister wants the support of this side of the House he must give us good reasons, and if he does not require our support why should the Motion have been brought?

With these few remarks, Mr. Chairman, I beg to oppose.

The Minister for Home Affairs (Mr. Odinga): Mr. Chairman, this is a very important Motion which is put very clearly and where I thought that any intelligent man would not have any hesitation in giving his consent. Well, I will put it to you, Mr. Chairman, that some Members do not understand that this is a joint effort. If everybody understood that we are on an East African basis and we are working in co-operation throughout East Africa they would realize that communication is not only confined to one particular area, from Mombasa to Nairobi. It concerns all parts of East Africa and the enjoyment we obtain from these services is guaranteed by all the East African territories.

When my friend on the opposite side was talking I kept quiet and he should now do likewise or else he will not have any points on which to reply.

Mr. Chairman, I do take it that where we are considering things like communications in the form of roads or railways we must think of them on an East African basis. In actual fact, this loan, as I understand it, has already been consented to by Tanganyika, by Uganda, and it is only Kenya that is left to give its consent and signature. This loan is needed to improve the railway services throughout Kenya and also the services on Lake Victoria which some people say is quite adequate. I come from that area and I am very sorry and ashamed to say that it is not. I know that people are not well served. When tourists and people who come from Nairobi get there they only crowd themselves on to the deck in the rain and everything, they do not actually have shelter of any kind. It is one of the worst

kinds of transportation in that area and if any of the hon. Members have been there they could actually sympathize with the people. If the hon. Members are saying that they represent the people, this is where they should represent them, with regard to the question of transportation. At Lake Victoria the steamer service is most inadequate and even if we get this small amount of money we are talking about we will not be able to supply those things we need.

Mr. Chairman, I would like also to point out to my friend on the opposite side that things like communications—the railways—are a means to increase our benefits in various fields. Anybody who has got a bit in his head will understand that. We also need to encourage the tourists to come and we need them to move quickly across our country, not only between Mombasa and Nairobi where the transport is adequate. We also want to move them quickly all round East Africa, even up to Uganda and Tanganyika. As such, I do not see why we should confine ourselves to business, because business is based on the whole of East Africa, and we must think of it on an East African basis.

If you look carefully, Mr. Chairman, you will see that all the three East African Governments are working closely together with these loans which are to build roads. We have built a road to Mombasa and we are proud of it, we have also built a railway to Mombasa and we are proud of it. Who can deny that co-operation today? This has been seen very clearly by the people of East Africa.

Mr. Chairman, I say that we should not actually waste our valuable time on this very straightforward Bill. The loan is normally given by the man who is giving the loan has considered the possibility of getting back the money concerned. He wants the loan repaid and so he carefully considers things and he finds that the East African Railways and Harbours will be able to repay the loan. We are all here to behave like fathers looking after children. They will give us some benefits and some profits out of it. Therefore, Mr. Chairman, I beg to support this Motion.

Mr. Shikuku: Mr. Chairman this is not a small amount of money. As such we need to have a very careful and considerate approach to this problem and here we have also to take into account very seriously whether the engines we are talking about are really necessary and we cannot do without them. If we can do without them we could use that money for another purpose. In my opinion, Mr. Chairman, we are

[Mr. Shikuku]

being asked to approve £1 million for nothing but engines, not even the wagons and carriages for the passengers, but just engines as such.

Mr. Chairman, Sir, it might be very interesting for this House to learn that I have been in the railways and I know very well that if you compare the standard of the railway in 1954 with the present one now you will find that we have got the best railway, as a matter of fact, in East Africa. I have been to Ghana, Nigeria and Guinea and I have also been to Cairo, but I can tell our dear hon. Members on the other side of the House that our railway is really up to date and it is really wonderful compared with all the ones I have mentioned.

The Chairman (Mr. De Souza): Mr. Shikuku, I do not want to cut you short but there is a Standing Order against repetition so I would like to warn you. We have to finish the debate by 4.30, and then, according to the Order Paper, we have to move on to the next business. Would you please keep your speech short.

Mr. Shikuku: Mr. Chairman, I am giving the reasons why we should not spend such an amount and I am actually proving to the hon. Members on the other side of the House that our railways are so wonderful. Our airport is one of the best in the world.

Therefore, Mr. Chairman, I feel this £1 million spent on these engines is actually a waste of money, because we have got engines that can be used until such a time as we are able to buy them. So far in the present circumstances I feel this amount should not be used for improving something which does not need improvement. We have the road to Mombasa and that is a very big link, and we should try to improve every communication. I would rather the road from Mombasa to Nairobi should have been tarmac-ed with the money from that loan.

In addition to that, Mr. Chairman, I have been told that we have about a £8 million debt to Britain and now we are being asked to guarantee another £2½ million. Mr. Chairman, we are all going into independence with exactly—according to my rough estimates—£10½ million in debts. Are we going to continue to live in debt so that we can go on paying the interest on these loans? I think this is a problem which we could actually face in another way—if we still have to go into debt—by improving, for example, the communications in Turkana and other remote areas in the Northern Frontier District, rather than improving things which do not need improvement.

I think it would give credit to the Government if they did that. In addition to that it has been stated here that this is a joint effort of Africanism. Mr. Chairman, are we going to agree to arrangements for any amount of money just because Uganda and Tanganyika have done it, without first examining our own position? This is ridiculous, we are not just going to spend money because Tanganyika has spent it, Tanganyika might have more money than us. We do not have to do something just because someone else does something. If we do that we are going to find that we are

Therefore, I feel we should not guarantee this amount of money just because Tanganyika and Uganda have done so.

QUORUM

An hon. Member: On a point of order, Mr. Chairman is there a Quorum in the House?

The Chairman (Mr. De Souza): No, rieg the Division Bell.

(The Division Bell was rung)

The Chairman (Mr. De Souza): We now have a quorum, you may proceed, Mr. Shikuku.

Mr. Shikuku: Thank you very much, Mr. Chairman.

I was talking about this joint effort. We agree with the joint effort, but we should first examine our own position before we are hoodwinked into doing anything. It is not a question of so and so doing something and therefore we have to do it. Antao can run 100 yards in nine-point-something seconds; Shikuku cannot do that, just because he comes from Kenya it does not mean that I can do the same thing. We have got to examine our own position first. It would take me an hour to run 100 yards. Therefore, I completely disapprove with the hon. Minister for Home Affairs's statement that it is a joint effort and therefore Kenya must do this. I do not agree with that at all, it is completely unreasonable, and therefore we cannot accept it.

He also went to the extent of saying that we have to enjoy these things. On the steamers you have people packed-up on the deck without shade and so forth, but is the hon. Minister aware of the fact that the first and second class compartments on the steamers are never used. The people do not want them, they go on the open deck because it is cheaper. I think the Minister should have told this House that it was time they created sheds on the steamers, it is not because of lack of accommodation on the steamers but it is

[Mr. Shikuku]

because the people do not want to go in the first and second class compartments on the steamers. When he talks of enjoyment, we all want entertainment but we are not going to enjoy ourselves at the expense of other people who are suffering, who have no roads, who have no health services, who have no education. I think this money could have been used for education. For example, in my area, four primary schools have been closed down because the parents cannot afford to pay the school fees. This money should have been used for this reason, rather than some people enjoying themselves, including the hon. Minister for Home Affairs. I think he should look into that very seriously, there are a lot of kids in his own constituency who are not going to school because their fathers do not have the money. This money should be used in such a way. We also have people who have been flooded and instead of sleeping in beds they are standing about in the water.

The Chairman (Mr. De Souza): Mr. Shikuku, I think we are going a little too far away from the subject of the Motion.

Mr. Shikuku: Thank you, Mr. Chairman, I was trying to emphasize that this money could be used for another purpose rather than improving the railways. With these few remarks, Mr. Chairman, I feel that the Government will agree with the Opposition that it is a complete waste of money, and above all, our time in this House, to talk about things which are going to make us pay such a large sum of money. Therefore, I oppose the Motion.

The Parliamentary Secretary for Works, Communications and Power (Mr. Nysgh): Mr. Speaker, Sir, I am very disappointed at the way the Opposition, especially the Leader of the Opposition, has handled this Motion. Some two years ago, Sir, the Leader of the Opposition took part in a conference which set up the East African Common Services Organization, and one of the services which was to be provided by that Organization was the East African Railways and Harbour. What the Government is trying to do is to honour the pledge and the agreement which was reached in that conference, that whenever a guarantee is sought for one of the common services, such as this one, is brought about by the three Governments, each of the Governments will give its approval. Kenya is now doing the very thing which was agreed.

What my Minister said was misunderstood by some of the Opposition Members who have taken a lot of time to say much about very little.

Improvements has to be made on our railways and that is why we are obtaining some new and more efficient locomotives to replace the ones which are already worn out, the uneconomic one can save money. Somebody said that Kenya cannot afford it. He also said that East African Railways and Harbours is a very rich organization. If that statement is true and correct, then the person who put forward that argument should realize that this organization, which is going to be guaranteed this amount of money, will not waste it. In fact, we are assured that in half the time of the life of those engines all the money given will be back. It is economical to run those engines. We are also assured that by so doing our main lines will be more efficient and also the smaller lines will have a bigger flow of traffic.

We are also told that an improvement on the Lake service is going to be effected. The hon. Member who has been speaking lastly complained that people who travel on the steamers have no cover, they sit on the decks, and they would like to have more covering when they travel and not have to go the second- and third-class cabins. The idea here with the two ferry wagons, it is to have a whole train ferried across from one port terminal to the other, thereby not exposing these people, and giving the very thing which the hon. speaker has been asking for. Why they should complain or even oppose the Government's move to improve, and also to facilitate movements, on the Lake, I cannot understand. Do they realize how much time is taken up with loading and unloading from one port to the other, and how much saving it going to be made?

Mr. Chairman, I would like to finish by saying that—

The Chairman (Mr. De Souza): Mr. Nysgh, I am afraid I have to interrupt you. There is a Committee of Supply at 4.30, and I must ask a Ministerial Member to move that this House reports progress and agrees to meet again. You will have a chance to speak again when the Committee sits next time.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that the Chairman do report progress and ask leave to sit again.

(The question was put and carried)

(The House resumed)

(The Speaker (Mr. Slade) in the Chair)

REPORT OF PROGRESS

GUARANTEE OF LOAN REPAYMENT: EAST AFRICAN COMMON SERVICES AUTHORITY

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of Supply to report that it is in the course of considering the Motion which is the subject of Order No. 6, Guarantee of Loan Repayment: East African Common Services Authority, and I am instructed to report progress and beg leave to sit again.

The Speaker (Mr. Slade): The Committee will sit again on some convenient day.

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 14—LANDS AND SETTLEMENT

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(Resumption of Debate interrupted on 16th July, 1963)

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian) Mr. Speaker, Sir, I was dealing with the questions which had been brought before the House by the Member for Aberdeens.

The fifth point he made concerned the Thomson's Falls transit camp, and he said that there had been promises made as regards the future settlement to the people who are in the camp, and that these promises have not been fulfilled. This camp at Thomson's Falls is, in fact, nothing whatever to—

QUORUM

Mr. J. M. Kariki: On a point of order, Mr. Speaker, Sir, do we have a quorum?

The Speaker (Mr. Slade): No, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): There is now a quorum, Mr. Marrian.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, this Thomson's Falls transit camp has nothing to do with the Ministry of Lands and Settlement. It was set up as a purely unemployment relief measure by the Administration. It is now under the regional authority. I am told that no promise

of future settlement was made, certainly it was never made by the Settlement people who had nothing to do with it. There was a series of such unemployment relief measures undertaken by the Administration and these have now come under the Minister for Home Affairs and will be found under Vote D.2.

The next point the hon. Member made was, why cannot a survey be made first of the settlement schemes to make sure that a man can make a living on his holding? Mr. Speaker, this is very carefully done always before any settlement scheme is marked out, and it is done by the Department of Agriculture. After it has been done by the Department of Agriculture, it is very carefully checked by the Ministry of Settlement, and all these schemes are designed to produce an economic holding. It may be, as has happened in the hon. Member's area, that flood or drought or acts of God of one sort or another do disrupt this very careful planning. If this does happen in the initial stages, Government must take a responsibility towards such people. This has, in fact, happened in the Nyandarua District and there is no doubt that certain special treatment will have to be afforded to those people, as I said yesterday.

His next point was that money is often difficult to repay because of poor land. He mentioned a large sum of money by which a loan is aggregated up with the interest concerned over a period of 30 years. He suggested the use of co-operatives, larger units and guaranteed prices for crops to be paid by Government. In answer to the question of loans, and interest to be paid, Government is, of course, always only too willing that the settlers shall pay their interest charges earlier, if they are in a position to do so.

On the question of co-operatives or larger units I have already made reference to these in my opening remarks, but I shall have a certain amount of information to give the House on co-operatives at the conclusion of my reply.

As to guaranteed prices for crops by Government, the House has heard the hon. Minister for Agriculture and Animal Husbandry make some reference to these. He says that he cannot treat settlement schemes any differently from any other farming enterprises in the country. Government does not run certain guaranteed prices, but they are by no means universal. However, the House will appreciate that whenever there is an export element in a crop, there cannot be a Government guaranteed price, because such price depends on the market prevailing in the world in general. So the answer to this question of guaranteed prices is, generally speaking, the Government cannot do

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It is much easier in a developed industrial country for a Government to support agricultural prices because it can do so by placing a subsidy which is paid for by other sections of the economy, such as heavy industry, etc. In a predominantly agricultural country, you cannot pay for agriculture with agriculture, you have to get the money elsewhere. If you attempt to guarantee a price to a producer and that price is higher than that at which you sell your crop, somebody and some part of the economy has to make up the difference. If you have very little other than agriculture to make up the difference, this is impossible. This is why in an agricultural country, subsidized agriculture is not possible.

The hon. Member's last point was, why are the emoluments in the Ministry's Vote greater than the total Vote? Of course, he has not taken into account the factor of Appropriations-in-Aid, and the great percentage of the money which is spent by this Ministry is returned by an Appropriation-in-Aid in the form of money from the British Government.

The next Member was the Member for Karachonyo, the hon. Mr. Agar, who, first of all, raised the question of training, land usage and maintenance. He asked how training facilities there were to teach settlers how they should operate. This has been brought up by several Members. The suggestion was that there was no training. This is entirely incorrect, Mr. Speaker. There are travelling training teams which run about three- and four-day courses on the schemes every few weeks.

There are four training centres being established for longer courses and, generally, the new farmers do not like leaving their holdings for courses the first year. In addition, settlers obtain courses in existing training centres with the Department of Agriculture. Finally, on each 10,000-acre unit there are two agricultural instructors, two or three assistant instructors, one veterinary assistant and one veterinary scout.

The second point he made was that Nyanza had been left out of the settlement schemes. It is hoped that if the Central Land Board agrees, that all land in Nyanza, with the exception of plantations, would be bought over the five-year settlement period. This does not mean, necessarily, that Nyanza will have a great part of the settlement operation. This is because within the Nyanza Region there is not a very great deal of Scheduled Areas. This, as you will remember, is the only type of land with which we are concerned.

The last point he made was that the settlement scheme should not only be for people with money, which is a settlement with which I agree.

The next Member was the Member for Narok East, Mr. Tipis, who I see is not here and therefore I shall not deal with all his points, but merely refer to one or two which may be of interest to the House. I think I would like to refer to his remarks on Eburri, in which he said that this was not a suitable area for settlement, because it was not high density and why did not we buy high-density land. Very shortly afterwards he asked us why we did not buy ranching land. Exactly what the hon. Member was getting at I am not too sure, but as he is not here to receive any reply I will not go into his comments further.

There was then the hon. Member for Githunguri, Mr. Kamau, who wished for a re-examination of the whole position with the view to settling the completely landless and unemployed. As I have said, the choice of those who go on to these settlement schemes is now a matter for the regions. But, in passing, although I appreciate this need, I must also make a point here, that a new farmer on a larger acreage with perhaps a little amount of substance behind him, is in a far better position to give employment to those who otherwise do not get it. I posed this problem yesterday as to what extent one could go to larger holdings and settle less people; to what extent one should have to have very small holdings and take the risk to the economy and the risk to the man himself, having nothing to fall back on. Although I sympathize very much with what the hon. Member has said about only dealing with the landless and unemployed, there is this factor that a man with a certain amount of substance can more easily give employment on his own farm. The hon. Member then suggested that a house must be built for the new farmer on the new farm and everything should be prepared for him when he moves in. Now, the finances would just not permit Settlement to build houses, and I think everywhere in the world, when a farmer starts off on a piece of new land, he is usually concerned with building his own house. I do not think, myself, that this is any great hardship and, in any case, finances would not permit it.

Part of the loan is designed to purchase material for the houses, and on the question of preparation of the land, at least two acres of the land is ploughed and harrowed, sometimes even ploughed on behalf of the new farmer before he moves in. He then suggested that Europeans were

[The Parliamentary Secretary for Lands and Settlements]

concerning Africans in the Rift and west change with the time, that his own area was all right and why weren't other areas the same?

Mr. Speaker, modesty forbids me to make too much play of the fact that I was the previous Member of the hon. Member's constituency and whether that has anything to do with it I do not know. We have gone into this question of the Rift at some length—or I went in to it with my opening remarks—and as I sit there is considerable conversation taking place between the farmers and the workers' representatives and the Elected Members in this particular area.

The next hon. Member to speak was the Member for Tana River, who confined himself almost entirely to discussions on Galole, which I have already dealt with in my opening remarks.

The next hon. Member to speak was the Member for Nakuru East in which he raised two points concerning eviction in the Rift and the transit farms being kept as labour pools, both points of which again I dealt with in my opening remarks.

There were then Members from the Embu country, the hon. Member for Ndia and the hon. Member for Gichugu, and as they have both very similar points I intend to deal with them together. I think the main point they made was concerning Mwaa/Tebere, and they made the allegation that the Government took the land without people's consent. They appreciated very much the effort made at Mwaa/Tebere, but the land should be returned to the rightful owners. They then suggested that extensions were necessary, that only 46 per cent of those in Mwaa/Tebere were local people and the remainder were from outside. There were no social services, and why could not Mwaa/Tebere have its own factory; why should rice have to go out of the area and then come back again. As regards the social services, as I have said before, this is a matter for the local authorities and I am hopeful that the local authorities will concern themselves more closely in the future with these social services.

First of all, this question of compensation at Mwaa/Tebere. There was compensation offered; it was made available two or three years ago to the then District Commissioner for Embu for payment to the African District Council as compensation for land that was set aside for this irrigation scheme as Mwaa/Tebere. The amount that was made available was £16,471, but this was declined by the local authorities and was returned to the Director of Settlement in May, 1963.

As regards the extensions to the Mwaa/Tebere scheme, it is proposed to extend the scheme by a total of 2,000 acres in 1962/63-1963/64 at a total cost of £163,000.

The Freedom from Hunger Campaign, Mr. Speaker, has undertaken to provide this amount to enable the extensions to be carried out. There was a certain amount of criticism made that there should be members of another tribe in the Mwaa/Tebere Scheme, but with this amount of money and the large increase in acreage, I am very hopeful that the Embu people will feel that a great number of their own people will be settled on the extension, and I hope there will not be any tribal feeling against those of another tribe already there, a tribal feeling which is very much against the policy of this Government.

Although I have said that the social services are a matter for the African District Council it was alleged, by the hon. Members that there were no such services, schools or hospitals or clinics, or social halls, etc. Sir, I would like to tell the House exactly what there are. The Embu African District Council has been receiving about £3,000 a year from a cess on the rice. There is an African Council Dispensary at Kimbindi close to the headquarters offices of the scheme which is used by all the tenants. The African District Council is also now paying for the cost of bilharzia and malaria control measures carried out by the Medical Department. We have also got a bilharzia and malaria control research team into the area. Each of the eighteen villages has its own primary school and at Maradala there is an intermediate school, all supported by African District Council funds. Also every village has its own social hall.

Although, of course, it would be advantageous and very nice if Mwaa/Tebere could have its own factory, I do feel that if there are enough factories in the country, then money can be better used elsewhere.

I then come to the hon. Parliamentary Secretary for Agriculture, the Member for Ruwamba, who stressed that the Non-Scheduled Areas are just as important to settlement as Scheduled Areas. Well, I think he is absolutely correct in this and I think that the development of the Non-Scheduled Areas will pay great dividends in the raising of the production of the country and also in terms of the relief of landlessness and unemployment, but, unfortunately, the settlement money is specifically tied to the Scheduled areas and there is nothing we can do about it. It is one of those things that the British

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Government has laid down and I do not think that any negotiation on this point is likely to be successful.

He then brought up the question of the Yala Swamp and how it could be drained to help the flood victims—and I answered this at some length in the answer to a question yesterday.

The next question was from the hon. Specially Elected Member, Mr. arap Bonnet. He asked that the Pekerra Irrigation Scheme should be increased and said that the flow of the Pekerra River had never been adequately harnessed, and if this were to be done it would be of the greatest value to the Tugen. I am informed that any scheme which would be possible to harness adequately the waters of the Pekerra would be so costly that it would be out of proportion to the amount of acres that could be obtained. He asked why the settlement only applied to Scheduled Areas which is a point that I have answered, also his criticism of settlement officers.

I now turn to the hon. Member for Nandi North, Mr. Seroney. He first drew the attention of the House to the anomaly of large loans to the Scheduled Areas and, little to the Non-Scheduled Areas, and made reference to what he called "this ridiculous Swynnerton plan." As I have said already, I agree that there has been a very large amount of loans made available within the Scheduled Areas, but equally, there has been a very great deal of money made available within the Non-Scheduled Areas. I cannot give him figures on this, because it is not really within the province of the Minister for Lands and Settlement, but I have no doubt that the Minister for Agriculture and Animal Husbandry could give him all the facts and figures. I must refute very strongly the idea that there is anything ridiculous about the Swynnerton plan, which has undoubtedly raised the standard of living and the amount of production for the country to a fantastic extent in certain areas of the country. I think if he were to ask any of the farmers who have benefitted under the Swynnerton plan he would get anything but the answer that this plan was ridiculous. He does not want to fragment, and this, again, I have dealt with in my remarks on co-operatives. His criticism of settlement officers have been dealt with. He then referred to the "crack of settlement" and goes on to say that the two largest expenses are emoluments and overseas leave expenses, which will perhaps be paid for by the new farmers. Mr. Speaker, Sir, he is inaccurate; neither of these two Heads in the Vote will have to be paid for by the new

farmers, as they are covered by a grant direct from the British Government. In these settlement schemes, there is a grant element of one third; again, this is another question he asked me later, and that is that emoluments and any overseas leave expenses are covered, in part, by this grant.

While we are on this subject of emoluments, there are only ten designated officers on the staff out of 438 officers and there are only twelve designated officers—with any overseas leave facilities. I do not think it is correct for the hon. Member to make play in this way, particularly as they are of no cost to the Kenya Government.

He said that exorbitant prices were paid for cattle, and that the Settlement Board had got a monopoly of cattle which has led to an increase in price. Mr. Speaker, this is incorrect. There is no monopoly of cattle, the Board buys cattle in the open market, or on valuation. Naturally, if there is a large buyer in the market, there will be a tendency for prices to rise. There is no monopoly, and any new farmer can buy where he likes so long as he obtains a veterinary certificate and the animal has some record of achievement in the past, particularly if it is a dairy animal. This is done purely to protect the new farmers.

He asked what the policy on houses was, and if a house is sold at a profit where does that profit go. I have explained what happens on houses, they are bought at a price which is usually very much below cost price; the Settlement Board will attempt to sell them off if it does not want to use them, and if any profit is made, it is returned to the Settlement Board Funds.

He asked me what was the policy on trees and permanent improvements. I must confess that I was not clear on what he was getting at, but trees are an asset, like any other permanent improvement on the farm and will be paid for as such, and if a man has trees on his new farm, he is probably extremely fortunate, as timber and firewood are commodities which are likely to be in short supply in Kenya.

He asked what the different types of settlement were, and they are (i) the high density scheme paid for by the British Government; (ii) the J.B.R.D./C.D.C. scheme paid for by the World Bank and the C.D.C., which I think, a certain amount of German money.

These are the only two settlement schemes operated by the Ministry at the moment. The old assisted-owner scheme no longer exists, and the interim settlement schemes, which are purely employment and landless relief schemes, are run by the Administration. He asked a question over the change of the basis of land settlement

[The Parliamentary Secretary for Lands and Settlement] Nandi. Now, Mr. Speaker, the questioner has already taken up this matter with the Ministry, which he did on Saturday and the Director has promised an answer in writing. This answer he will get in due course, and as he has already approached the Director before bringing the question to the House, I do not think there is any need for me to make further reference to it.

He asked for a considerable number of details on Lessos and they were so long and so detailed that I am not in a position nor would it be wise, I think, to answer them all in this House, but if he would care to write to the Ministry setting down all the detailed questions he has asked, he will receive an answer.

I now come to the hon. Member for Majogebassi, in which he made reference to Lietego where there has been the settlement of fifty-three Kisii and that the settlers' milk, from their four cows at two gallons each, cannot be sold. The first comment I have to make on this is that the economy of all these settlement schemes is based on a cream economy, and the K.C.C. is transporting cream from its old factory in Solik to Molo.

Secondly, as you heard from the Minister today, there is a retailers' organization being established and all African farmers are to be encouraged to join this, and I am confident that they will receive a good price for their whole milk and if they cannot sell all their whole milk in this way, then they will get an adequate price for their cream. He brought up the question of social services, which is a matter for the local government authority.

He said that a greater loan repayment was now demanded than originally agreed. I have no knowledge of this; if he would like to give me chapter and verse I will take it up. He suggested that the subdivision was too great, and that men often have twelve children, and therefore the twelve children cannot fit into these very small plots. All that I can suggest to the House is that we have a serious problem on our hands as it is, we know that we have an increasing population of a quarter of a million people a year, but all I can say is that if everyone has twelve children, that increase in population will soon be half a million a year, and then we really shall be in a fix.

I now come to the hon. Member for Nyaritari, Mr. Nyamweya. He suggested that there should be three schemes of settlement, one for the really poor, a second for forty- or fifty-acre holdings,

and third for assisted owners. He then said that he does not mind the assisted owner as long as he does not make another African class, and he suggested that there should be at least one non-tribal settlement scheme, a settlement scheme that would be non-tribal. As I have already said, the assisted owner scheme is a thing of the past, although there may be some which are still in operation.

I would quite agree with him when he says that we might move to a non-tribal settlement scheme. There was an original concept in this regard, but tribal feelings ran high and eventually we came down to what have amounted to tribal settlement schemes. However, I think this is a good idea and if we could get the right area, then it might be very wise to try and produce a non-tribal settlement scheme. It will, of course, be up to the region to decide what people would go on and therefore what tribe they would belong to, but I would commend this idea to certain of the Regional Assemblies to see whether they could not work out something.

He asked for protection against stock raiders and other forms of aggression by neighbouring tribes. I feel great sympathy with him on this, because I know that there has been trouble in certain areas. The Ministry of Lands and Settlement does provide some tribal police as some addition to the Administration. We cannot do very much in this regard which is predominantly a police matter. I feel that the problems of protection should be put before the police.

He asked why the Solik factory is being closed down. I will not refer to this because the Minister for Agriculture and Animal Husbandry gave a full answer at question time.

And finally he asked how much money is being given to each province for settlement. The answer is that we do not give money to the provinces. It is kept in the centre, and allocated to such settlement schemes as are established in the various regions.

The next speaker was the Member for Nandi South, the hon. Mr. Choge, who made reference to Europeans as settlement officers, which I have dealt with.

He suggested that the price of Sh. 3,000 asked for the settlement schemes was too much for a poor man. Of course the answer to this is that this is a I.B.R.D./C.D.C. scheme, which in itself is not really designed for the man who has nothing. It is designed as an academic scheme for the man who was able to put a certain amount of money into the scheme itself, and

[The Parliamentary Secretary for Lands and Settlement] therefore his question does not really apply, because it is not designed for the poor man as such. The money comes from the World Bank, which demands a development factor, demands that the scheme shall be economic, and if a man was asked to produce one thousand rather than three thousand the scheme would immediately become uneconomic and the source of the money would be withdrawn.

He suggests that it is quite wrong that the new farmers should be asked to keep grade cattle. My answer to this is very much the same answer as I gave yesterday on the matter of seed, and that is that if you do not start off with a productive animal, then your holding is not likely to be economic. There are, of course, areas in this country which are not suitable to grade cattle. I do not specifically know the areas to which he is referring, and it may well be that this is one of them and the indigenous boran cattle might do better. I am not qualified to say, but by and large I do think we should encourage the new farmers to grade up their stock to a greater degree of productivity. He said there was no market for milk, but markets are a matter for the co-operative development, to which I shall refer in just one moment.

Then there was a very excellent, well-balanced speech made by the hon. Member for Ohaya/South Tetu, the hon. Mr. Waritithi, in which he said that although settlement was originally for the landless—and this is important—we must also consider settlements as being a means of raising the productivity of the country. I do think that no Member of this House should ever forget this, because it is terribly important if we are going to survive as an agricultural country, that as a result of settlement our production should go up and not down. He referred to the problem of eviction caused by settlement, to which I referred in my opening remarks. He asked for an assessment as to how the price of land was purchased, how it was valued. The method of valuing land is to take the 1959 price related to the productivity of that land as it is at the moment. This means that if that land happened to carry a cash crop which was very valuable in 1959 and is of a much lesser value in 1963, the value of that land would, of course, be reduced.

The hon. Member for Kericho East, the hon. Mr. Kiprotich, was the only Member in the debate who came out quite bluntly and said that he thought that settlement schemes are a mistake, I think predominantly because of the displacement that they are causing in the country. All

I can say to him is that we recognize that settlement has its problems and it does create problems, but I am quite sure that settlement over all is being of inestimable value to the country, and I cannot therefore agree with his conclusions on this matter.

The next speaker was the hon. Member for Embu North, and I think that I have referred already to the points he made which were that there are no settlement schemes for the Embu or that Mwaa/Tebere should be turned into a co-operative. I have already said at another time that Mwaa/Tebere might well go over to the region; I do not think the Central Government would insist on keeping it. If the region wished it to go under the local authority, as suggested by the hon. Member for Embu South, there is no reason why it should not do so. If it were felt that it should be turned into a co-operative, I think that again this would be a matter for the local people, but there is, of course, quite a lot of Government money in this scheme which would have to be returned to Government over a period.

He mentioned the 3,000 landless Kikuyu and that he would like co-operatives, and I have referred to all these points when I answered the Member for Embu South.

The final speaker was the hon. Member for Barigo South, the hon. Mr. Tanui, who again opposed old settlers as settlement officers and he referred to social services. He suggested that there had been eviction from Perkeri when setting up the scheme, and that those people who had been evicted had not been offered settlement elsewhere. I have no knowledge of this; if he would like to bring it to my attention I shall have a look at it. He suggested that they should stop calling the new people who have gone on to the land "settlers" and that we should refer to them as "new farmers". I have no objection whatever to referring to them as "new farmers". He wanted agricultural education, and this I have dealt with, and finally he asked that the Minister should go and see for himself. As I have explained to the House, this is precisely what is going to happen before the end of this month.

Mr. Speaker, I did say I would give the House one or two figures of co-operatives as there has been so much information sought on them. There is, of course, no co-operative ownership, with the exception of the two Kamba schemes and I think one or two others. Certainly Komo Rock is one. Lukenyi is another, but by and large co-operative ownership has not yet been tried to any extent. However, in terms of the co-operative working on the schemes to give marketing facilities and

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various other facilities, there are now twenty-two co-operatives registered in the settlement scheme. There are a further nine or ten in formation and there will be seventy-seven by the end of the 1963/64 financial year. Their main functions are marketing, animal cleansing, artificial insemination and bull service, dips purchasing and tractor services. They do involve the borrowing of money from the Board, and they are paid back for by a cess on produce. So I do feel, Mr. Speaker, that the Ministry is by no means standing still on this question of the co-operation which is necessary inside the settlement schemes.

They are all the points which have been raised by hon. Members, Mr. Speaker, and if I may just give a summary of the debate—which has been very long, but I think very valuable—it is this. The hon. Members who have spoken have presented a very clear picture of what is felt generally on the political front about the settlement schemes and a lot of very good points have been made up.

Secondly, the settlement can help but cannot itself solve social problems.

Thirdly, there is a need for continuing the settlement operations if necessary beyond our present scheme. I do think that it is terribly important that those who are without the means of subsistence, who are landless and unemployed should never be allowed to feel that they have no hope in this regard. We may have to ask them to be patient, but I am quite certain that they must know that there is a continuing medium of settlement and that they will have the benefit of it in due course.

Fourthly, this dilemma between the larger holdings that are more economic and settle fewer people and the smaller holdings which are so terribly vulnerable, but settle more people initially.

Fifthly, the problem of the markets and how we are going to sell our produce, and the organizations through which we shall sell it.

Sixthly, and lastly, the need for co-operation in all spheres of our national life in this very important endeavour, that is co-operation between the Elected Members, the Staff and the new farmers on whose work the whole success of the settlement scheme will depend.

Mr. Speaker, I beg to move.

(The question was put and carried)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

VOTE 14—LANDS AND SETTLEMENT

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I beg to move:—

THAT a sum not exceeding £135,300 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 1964, in respect of Vote 14, Lands and Settlement.

(Question proposed)

Head A1—Personal Emoluments

Mr. Ngala: Mr. Chairman, Sir, there is an increase in Personal Emoluments. I know that this Ministry has been in existence from the last financial year, and both the Minister and the Parliamentary Secretary have been there since that time. Could we have a clear explanation of the increased staff particularly the forty-four posts which will be placed in the Ministry of Settlement, and the increase of 438 new staff posts? We want to know where the increased staff is, and where they are situated. Are they situated in the Ministry or in the country outside? In addition, Sir, I would like to know the breakdown of the scales of pay among these new posts.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, there is a printing error here. The increase of posts is not forty-four; it is ninety-two. The Leader of the Opposition asked why there had been an increase of ninety-two posts. The answer is quite simple: in the build-up and extension of the settlement schemes. I have said that 5,000 were settled last year and that we hoped to settle 12,000 this year. This is a vast increase and it needs more staff and more schemes. On these schemes there will be more officers, clerks, assistant officers and the lot. If it, therefore, inevitable that the number of posts is going to increase. He asked for a breakdown on these Personal Emoluments. I can give him these if he would really like them. Do I take it that the hon. Leader of the Opposition would like them now, or would he like them in writing?

Mr. Ngala: Can I have them now?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): No, Mr. Chairman, I cannot give him specifics on the new ninety-two—

Mr. Ngala: Why?

The Chairman (Mr. De Souza): You can always give them to him in writing later.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I have the information here but it is very detailed. I would suggest, Mr. Chairman, that if the hon. Leader of the Opposition agrees that perhaps I could send him this information, rather than waste the time of the House.

Mr. Ngala: I would agree.

(Head A1 agreed to)

Head A2—House Allowances

Mr. Ngala: On House Allowances, the figure is not an increase it is just a new figure. Is the Minister building new houses, renting houses, or buying new houses on these settlement schemes? Can we have an explanation as to how this new item of over £17,000 has come about?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, it would appear that we have suddenly got an increase of £17,899; but this is not correct because the £1 which is set out on the Approved Estimates was set out as a token for two reasons. First of all, the Ministry was new and there were no past figures on which to work. Secondly, the greater part of the expenditure under these two items would be in respect of the staff of the Land Development and Settlement Board, and that would be reimbursable in full by the Board to the Government. The position was, in fact, corrected recently by the Supplementary Estimates No. 2, which included a sum of £9,300 for House Allowances, and £1,700 under A3 for Passage and Leave Expenses. These figures were, in fact, inadequate and the total expenditure was £10,254 and £2,365 respectively. There is, therefore, an increase of about £8,000 which is comparable to the increase in the Personal Emoluments and is due entirely, as I say, to the expansion of settlement.

Mr. Ngala: In view of the explanation, Sir, is it possible for the Ministry to reduce the expenditure on both these items A1 and A2, particularly bearing in mind that the Settlement Ministry should not be so much of a permanent establishment?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I could not give an undertaking to reduce this, we are being pressed on all sides to increase the speed with which we settle, and this staff will be neces-

sary. I would point out to the House that every penny here is coming back—that is every penny that is spent on settlement in this regard—in terms of a grant from the British Government. Therefore, there is no charge whatever on the Kenya Government.

Mr. Ngala: Could the Parliamentary Secretary tell us whether these people who have been employed have been employed on a permanent basis or whether they are on contract, or on temporary terms of service?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): All new officers are on contract terms.

(Head A2 agreed to)

(Heads A3 and 4 agreed to)

Head A5—Travelling and Subsistence Expenses on Duty

Mr. Ngala: Mr. Chairman, Sir, could we have some explanation on why the travelling and subsistence expenses on duty are reduced in spite of the expansion of work, as the Parliamentary Secretary has given us to understand a little while ago?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, this covers the mileage allowance for travelling and subsistence expenses of officers of the Ministry only. The staff of the Board and the Department are covered by Vote D3, A3 and A4 mentioned above. Therefore, it is with reference only to the headquarters staff and it is the natural concern of the Ministry for economy that they have managed to save £300.

(Head A5 agreed to)

(Head B1 agreed to)

Head B2—Other Charges

Mr. Ngala: Mr. Chairman, Sir, on the Tana River item I would like to know whether the Minister has not been disappointed by this scheme, particularly the experimental scheme, and whether it is worth while going on spending money on that experiment which seems to have proved to be a complete failure. During the policy debate on this Vote it was criticized by the representatives of that area, and also, I think, the settlers themselves are completely dissatisfied and complaints have already been put to the Minister both last year and this year when he was touring the area. Could we be told the wisdom of continuing expenditure on this particular item?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): If the hon. Leader of

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the Opposition, Mr. Speaker, Sir, had been in the House when I replied to the great number of points he raised, he would have heard me deal at considerable length with the Tana River scheme, but, as so often happens, Members of the Opposition ask questions and then go out—and the hon. Member who has just interjected is one of them who was not here to hear my reply to him today—but the hon. Leader of the Opposition would have heard me say, among other things, that this scheme on the Tana River this irrigation scheme was designed to provide information for the whole of the Tana River survey. It does cost Government a certain amount of money and it has been considered that this amount of money is well spent so that when the Tana River irrigation scheme investigation has been carried out, this irrigation scheme itself will provide much-needed information for those who are carrying out this scheme, and this is the reason for its continuance. But as I have said, I did deal with this matter in much greater detail in the policy debate and perhaps the hon. Member would care to read the HASSARD and then he would find out what the answer is.

Mr. Gheoya: I would like to know from the Minister on the same item, how much money has actually been allotted to the Mwea/Tebera irrigation scheme, knowing, of course, that the scheme is self-contained. I would also like to know whether the amount that is going to be allotted to it is meant for expansion of the scheme or if it is for additional services of this scheme.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Again, I do not know whether the hon. Member was in the House, but I did refer to the proposed expansion of the Mwea/Tebera scheme, and I quoted a figure when I was replying. I will repeat it for the benefit of the hon. Member. The expansion is at a cost of £163,000 and is due to cover a total of 2,000 acres in 1962/63 and 1963/64. The figure down here is not for any form of expansion but for running the scheme. I would like to add, in this regard, that these irrigation schemes are now no longer under the direction, or have anything to do with the Ministry of Settlement, they have been moved to the Ministry of Agriculture, but the Speaker did rule that because they were in the Vote here they were properly a matter for debate under this Vote. Nevertheless, I would ask hon. Members to be patient and if they really are seeking a great deal of information on these irrigation schemes that they might bring up their questions under the Vote for Agriculture.

Mr. Ngel: Mr. Chairman, Sir, would the Parliamentary Secretary tell us whether this figure of £170,000 was arrived at because of easiness in working the scheme or was it worked on the basis of productivity of a particular scheme?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I am sorry I have not got the question.

Mr. Ngel: Mr. Chairman, I wish the hon. Parliamentary Secretary would find himself a set of earphones.

I was asking the hon. Member whether these schemes are designed to suit the environmental conditions of an area or because of the productivity point of view?

The Parliamentary Secretary for Lands and Settlements (Mr. Marrian): They are designed, Mr. Chairman, to be productive and if they are to be productive naturally they have to fit into their environment. I have explained that Mwea/Tebera is not designed as an economically viable proposition. It is designed more to provide evidence for the Tana irrigation scheme.

Mr. J. M. Kariki: I would like to know whether the £170,000 is used to hire lorries or if it will be used for the other things mentioned in the Paper here, because in some settlement schemes I have heard that they hire lorries instead of using the Government lorries in the area. I would like to know whether the money allotted to this Vote, B2—Other Charges, includes the hiring of transport while on duty?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I would need notice of this question, but I think the answer is no, and that these will come elsewhere.

Mr. ole Tipla: Mr. Chairman, Sir, I would like the hon. Parliamentary Secretary to enlighten us on this irrigation scheme. I would like to know the actual amount allocated to the Pekerra Scheme and, secondly, whether this amount is for expansion and, thirdly, what has his Ministry done to overcome the previous headaches which accumulated in this irrigation scheme, due to the lack of initiative on somebody's part, to market the produce from this scheme.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I have explained that this scheme does not come under this Ministry. It may be in the Vote here but it is only in the Vote, because the preparation of the Estimate was done before the re-shuffling took place, and water was moved elsewhere, and an

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irrigation scheme such as this moved to Agriculture. We have nothing whatever to do with these schemes now. I do suggest, Mr. Chairman, that in order to save the time of the House, the question on these irrigations schemes are directed to my hon. colleague, the Minister for Agriculture.

Mr. Ngel: Mr. Chairman, if I can repeat my question again, perhaps in a different way, because I do not think the hon. Parliamentary Secretary understood. What I was asking the Parliamentary Secretary was taking into account these schemes like Mwea, Tana, etc., was working there when these figures were arrived at? I mean £117,000. Taking into account, for example, the areas which have no malaria or bilharzia, was he working on these figures considering those conditions? That is my question. If that is the case, could he tell us, why he chose to get into more difficult schemes than he did at Mwea, just as an example?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): We have not got into any more difficult schemes. We are dealing here with Mwea, Tana and Pekerra. Nobody is getting into any more difficult schemes, there are three of them listed here. They all have their functions to play.

Mr. Gheoya: Just to clear my mind. We have had on the Mwea/Tebera Scheme, a rate charged by the management, known as the water rate, and I have been assured by the Manager that that water rate was formed to cover every service given there, including the salary of the manager himself, travelling charges also are covered. I see from the Minister's presentation that Mwea/Tebera is entitled to something I do not know whether this amount is meant for something additional to whatever is being paid today, because every tenant, I believe, pays Sh. 800 per year for all the services he gets, yet I hear that something is paid by the Central Government for the same scheme. Is this amount going to meet the same service charges or the additional services?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mwea/Tebera is the only scheme of the three which is practically self-supporting, and therefore the charges, that are referred to by the hon. Member, are designed roughly to cover the expenditure of the others. As I have explained, the Tana River Scheme is not viable and is expensive. Both in Perikerra and Mwea, the acreage has been increased. The other charges include money for all the services

provided for this increase. This increased acreage means increased expenditure.

Mr. Ngala: Mr. Chairman, Sir, I would like to raise one point if I may. In B.2—Other Charges, the question of irrigation schemes have been raised, and the Parliamentary Secretary has referred the Opposition to Vote 13 on Agriculture and Animal Husbandry, and I would like an explanation. I would like to seek your guidance on this, because these items cannot go on Vote 13, and when Vote 13 comes, Members are likely to be ruled out of order if they raise this. So, the Parliamentary Secretary is trying to avoid explanations on this point, I would seek your ruling.

The Chairman (Mr. De Souza): I am afraid there is a very difficult problem which arises. I think we discussed it the other day. It is quite true that the expenditure on the Vote in this particular case is contained in Vote 14. It is also quite true that since this Vote was originally published this particular function has been transferred to the Ministry of Agriculture. I myself ruled the other day, that it is perfectly in order to ask questions and to debate any items which appear under Vote 14 in this particular debate on Land Settlements, Water Development, Land Surveys and Town Planning. But, I also said that it would probably be much more fruitful if the Opposition put any questions in regard to irrigation to the Minister for Agriculture, because he is the Minister now in charge of irrigation. I see the difficulty that the Opposition will not be able to ask, in Committee stage, at any rate, questions on detail and expenditure in regard to irrigation schemes, because they will not be contained in Vote 13. All I can suggest is that when this particular Vote comes up for debate, and I am informed that it may never come because it is very low down in the hon.'s list of the Opposition's choice of Vote to be debated, it is possible, and I am sure that the Speaker will allow much greater latitude in debating this particular question of irrigation. You will then, I am sure, get all your answers from the Minister of Agriculture and Water Resources. I think that will probably be the best way to do it, because it is quite obvious that the hon. Parliamentary Secretary is not trying to avoid answering it, but as it does not come within his particular jurisdiction, he cannot obviously answer and commit himself and give any details for a particular section which is not now in his Department. I think that will be the best way to go about it, Mr. Ngala.

Mr. Ngala: Mr. Chairman, Sir, although I understand your explanation, but from the point of view of our interest, we are not really satisfied.

[Mr. Ngala]

because this particular Ministry has introduced the Vote and are entirely responsible for explaining to us the various expenditures that are empowered by this Ministry. For us to be told that this comes under Vote 13, which may never come up for debate, is not really satisfactory. If the Opposition feels that we should get clear and detailed explanations on a particular point, then the Government or the Parliamentary Secretary should get the information from the other Ministers on a collective basis, to give us a satisfactory explanation now. It is expenditure which is going through.

The Chairman (Mr. De Souza): I think I could answer this, Mr. Ngala. I think under Personal Emoluments, Ministry of Agriculture, Vote 13, you could ask questions which are not directly in his Vote, but which are indirectly so under Land Settlement. You can then ask all these questions that you want under irrigation. I certainly will rule that you will be in order. I do not know whether the Parliamentary Secretary would like to answer your question now.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): In the Policy Debate on the Ministry of Agriculture Vote I am sure that all the question that you want to ask, can be asked. I have already pointed out that we have dealt with Mwca-Tebera at very great length, and I gave very considerable information about it. The hon. Leader of the Opposition now says that he is so interested in hearing all about it, but he did not even come in to listen.

Mr. Ngai: Mr. Chairman, would the hon. Parliamentary Secretary tell us what advances are being given to the tenants, and whether they conform to the acreage which is given to each individual tenant?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Well, Mr. Chairman, I dealt at some length with the amount of land that is given. If the hon. Member had only been present in the House during the debate, he would not have to bring up all these questions now. Was the hon. Member referring to the loan charges to settlement?

Mr. Ngai Tenants: I have referred to the tenants, as written down here, that is, I am asking what advances have been given to them, and whether these advances conform to the amount of land given to them?

The Chairman (Mr. De Souza): Mr. Marrian, perhaps you could give the Floor to Mr. Ngai and he can illustrate the section.

Mr. Ngai: It is just here, "advances to the tenants", as written down here, that is what I am asking.

The Chairman (Mr. De Souza): You are referring to the very last paragraph, about advances to tenants.

The Parliamentary Secretary for Works and Communications (Mr. Nyagah): On a point of order, in view of what the Parliamentary Secretary for the Ministry of Lands and Settlement has said that this particular item appearing in this book is the responsibility of the Ministry of Agriculture. Are we going to get any more answers, or are we going to go round and round repeating ourselves?

The Chairman (Mr. De Souza): It is up to the Parliamentary Secretary, the hon. Mr. Marrian, to decide whether he would like to answer these questions or whether he would like to leave them to the Minister for Agriculture when his particular Vote is debated.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I will obtain the information the hon. Member asked for. The advances to tenants in the irrigation scheme are not in my Head at the moment, but I will obtain the information and send it to him.

Mr. Ngala: Mr. Chairman, is the Parliamentary Secretary responsible for the expenditure he is asking for from the House?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): No, Sir, there will be a comparable transfer to the Ministry of Agriculture of the amount of money involved.

Mr. Wamuthenya: Mr. Chairman, Sir, may I know from the Parliamentary Secretary whether he is aware of those people who are landless in the transit camp at Worazo who have no food and who are destitute? Is there any aid being given to them while they are waiting for land to be issued to them? This place is in Central Province, near the Island Farms.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I am not aware.

Mr. Wamuthenya: I can inform him that it is there and there are landless who are waiting for land there, and they have been put there by the scheme's officers and by the Administration. They are waiting for the time when the land will be allocated to them, but they have not had food for a very long time, because they have nowhere to work or get food. I think the Government should provide them with the food until they can get it for themselves by growing crops to maintain themselves and their families.

The Chairman (Mr. De Souza): I think your particular question does not quite arise on item B2, which is Other Charges, but the Parliamentary Secretary can answer if he wants to.

Mr. Ngala: Mr. Chairman, Sir, the Parliamentary Secretary said that these expenditures were not his responsibility. I am rather concerned that we are being asked to vote this money by a Parliamentary Secretary who is not responsible for the Vote in question. What can we do if we are not satisfied on this side? I think this is a worrying problem.

The Chairman (Mr. De Souza): I am afraid that I cannot advise you on this particular matter; it is up to you to decide what you would like to do. I think the position in regard to this particular Vote has been explained more than once. There is nothing I can add to it. I do not know if the Parliamentary Secretary wishes to say anything.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I do not think so, Sir, other than to say that I appreciate the difficulty of the Opposition as I hope that they appreciate mine. It was done by a change of Government taking place at the moment of drawing up these Estimates. Water was a matter for the Minister of Settlement at one time, and was taken out of his portfolio, and it is now nothing to do with us. Having sought the ruling of the Speaker as to whether this should be debated here or within the Vote to which it has now gone, the Speaker ruled that the debate was in order under this Vote. I would suggest that the hon. Member takes any action that he thinks fit.

Mr. ole Tipli: Mr. Chairman, Sir, I think we ought here to record our dissatisfaction with the way this Vote has been handled. We have here a Parliamentary Secretary who has been given the authority of moving this Vote for his Ministry. That is quite all right. I do not see why the matter of irrigation has been transferred to the Ministry of Agriculture. Why can he not answer these questions? What is there to prevent him getting a proper brief from the Ministry of Agriculture giving the particulars required for the interest of this House? This would have saved us a lot of unnecessary arguments and questioning here.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I cannot, as a member of another Ministry, talk with authority on matters that concern that other Ministry. I have been asked questions as to what

will be done in certain circumstances: I cannot give these answers because I cannot commit another Ministry to an action.

Mr. Shikuku: I thought that the hon. Member was trying to point out to the Parliamentary Secretary that they should have got in touch with the Ministry of Agriculture in view of the fact that he was aware that this question came up in this Vote. I think that the reply by the Parliamentary Secretary to the question put by the Member is not in order at all.

The Chairman (Mr. De Souza): I think that we will move to the next subheading now.

Mr. Ngala: We are not satisfied.

The Chairman (Mr. De Souza): Unless somebody moves a reduction in the Vote I have the authority to go on the next Head and I think we have exhausted any possible debate that we could have on B2: which is Other Charges.

(Head B2 agreed to)

Head C1—Personal Emoluments

Head C2—House Allowances

Mr. ole Tipli: We would like to know how this figure was arrived at in view of the fact that some of the farms or all the farms which have been purchased for settlement have buildings or decent houses on them already.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I think the hon. Member was having a sleep as we have moved on from there. We have moved off Settlement and we are now on Survey and Town Planning.

Mr. ole Tipli: I was well awake.

(Heads C1 and C2 agreed to)

Head C3—Passages and Leave Expenses

Mr. Ngala: Mr. Chairman, Sir, is the Parliamentary Secretary responsible for these items?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Yes, Sir.

(Head C3 agreed to)

Head C4—Travelling and Subsistence Expenses on Duty

Head C5—Expenses of Regional Land Control Boards

Head C6—Cartographic Conference for East Africa

Head C7—Miscellaneous Other Charges

Mr. Shikuku: Mr. Chairman, I was just trying to ask a question on the Cartographic Conference. I wanted an explanation because it is in connexion with the United Nations and I wanted to know in what connexion the £2,000 is to be spent?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): The United Nations Cartographic Conference has been taking place for some time in Nairobi. It is for the purpose of co-ordinating a policy of map making for Africa. I do think that Kenya is very honoured that Nairobi should have been chosen as the venue for a very important conference. It is being attended by delegates from all parts of Africa except South Africa and Portuguese East Africa. The Conference is the United Nations' responsibility, but as we are the host country, we are required to meet certain direct expenses. These are: the rent of the Nairobi City Hall; the use of the Charter Hall for the Conference and an Exhibition £420; transport for the delegates £220; stationary £200; entertainments—two official receptions run by the President of the Conference and the Kenya Government reception—£400; postal expenses £200; secretarial expenses £200; miscellaneous, such as provisions for delegates' badges, etc., £300; the total is £2,000.

Mr. Khasakhala: Mr. Chairman, I do not understand this. When the Parliamentary Secretary mentioned the transport of the delegates, is that in Nairobi, and where do these delegates want to go?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): This transport is designed to show these delegates something of this beautiful country. We are always talking of tourism and hoping that more people will come to spend money in this country. When we have a conference of this nature, it is always the Government policy to see that as many facilities as possible are given to these delegates to see Kenya. We hope that they will come back again and again.

(Head C7 agreed to)

Head D1—Personal Emoluments

Mr. Ngala: Can the Parliamentary Secretary explain why the reduction is not as big as one would expect with the change of Constitution where most of the land has gone to the regions?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I think the Leader of the Opposition is under a misapprehension, as he sometimes is, with regard to the power of the

regional authorities. The Lands Department remains the responsibility of the Central Government. The Registered Land Bill, which passed through this House yesterday in the Committee Stage, clearly sets out that the registration of land and new registers will be dealt with by the Lands Department and will be a Central Government operation, although it will actually be carried out in the regions. It will have its own Central Government officers.

(Head D1 agreed to)

(Heads D2, D3 and D4 agreed to)

Head D5—Travelling and Subsistence Expenses on Duty

Mr. Ngala: Can we have some explanation of the increase in D5?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, to meet the expenses of officers in the Department for mileage done on official business in their cars as well as any hotel expenses they may incur while on safari. By far the major part of this provision is for the claims of the valuers and this is reimbursed by the local authorities on whose behalf the travelling was done. It is then credited to the Miscellaneous Item of Appropriation-in-Aid. As you know, the work of these valuers has increased to a very marked extent as a result of the increase in settlement schemes, and the increase in this Head here is due to the increase in the work of the valuers.

Mr. Ngala: Mr. Chairman, Sir, I thought the Parliamentary Secretary told us a little while ago that we had moved away from settlement schemes. There is an increase of about Sh. 20,000. This increase seems to be quite abnormal, and I would like to get a breakdown of how the Sh. 20,000 extra is intended to be spent and where. Is it on new surveys of lands, on new demarcation of land, new settlement? Exactly where is the Sh. 20,000 increase?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Sir, I cannot give the exact figure, but I think the valuation factor is one, and I think the new registration factor is probably another. As we explained in the Registered Land Bill, we shall, over the next year or so, be moving on to an entirely new land register which will involve the Lands Department in additional travelling. If he wishes a complete detailed breakdown of the addition of £1,000, I will see that he gets it.

(The Debate continues)

Mr. Ngala: Mr. Chairman, does the Parliamentary Secretary mean that this travelling was carried out by officers who were involved in the valuation of land? Where were they doing it, and how much was the increase as compared with previous years? This is travelling and subsistence expenses on duty where there is an increase of Sh. 20,000 as compared to the expenses of other years. This is where I am rather disturbed and a little disappointed, because the Parliamentary Secretary just says that he "thinks". He is not sure when he wants any expenditure to be passed by this House.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I think the increase in expenditure, when one relates it to the total figures we are dealing with, is not all that great. It is £1,000, and I know that £1,000 is important, but I have suggested to you that the Lands Department is engaged in additional work. It has valuers working all over the country. It has these new registers which it will be compiling, and all these will make additional work, and additional travelling.

Mr. Khasakhala: Mr. Chairman, what would like the Parliamentary Secretary to tell us is this: are there increases in the staff or has the travelling expanded more than it did last year, and if it is travelling, where are these people travelling to, in what parts of Kenya?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, as I have tried to explain, these Government valuers are engaged in helping out on the valuation of the settlement schemes. They, therefore, travel to new settlement schemes, as they are produced, in order to value the land. As I have also explained, the money is reimbursed from the Central Land Board. I would have thought, Mr. Chairman, that the matter is perfectly clear. I suppose the hon. Members do not want me to detail exactly where they are going in the year.

The Chairman (Mr. De Souza): I think we have exhausted this Head, we will continue with the next Head.

(Head D5 agreed to)

Head D6—Equipment, Maintenance, Postal and Incidental Expenses

Mr. Ngai: I would like the Parliamentary Secretary to explain to me what he means, that is if he can, by incidental expenses.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Office equipment, £600, postal services, £2,000; incidental expenses,

£600, to meet the cost of cleaning materials, minor items of equipment, maintenance and all those other expenses which are continually arising in the day-to-day running of a department which themselves are too small to warrant a particular item. Electrically, water and conservancy, £12,000; do you want me to go on?

Mr. Ngai: Yes.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Fire services, £400; expenses of photostat machine, £1,000; expenses of Members of the Land Board, £1,000, etc.

(Head D6 agreed to)

Head D7—Miscellaneous Other Charges

Mr. Ngala: Could we get some explanation on this construction of land going to the regions from Crown land. I would like to know what the Ministry is planning on this particular item.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, £1.

(Head D7 agreed to)

Head E1 agreed to

Head E2—House Allowances

Mr. Khasakhala: Mr. Chairman, I see that there is an increase of £2,000 on house allowances; could these be explained to us, please?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): The matter of house allowances is, curiously enough, complicated by the Economy Commission Report which recommended an increase in house rental. Therefore, if these rentals are to be paid this year, the costs of such house allowances are increased by that amount.

(Head E2 agreed to)

(Head E3 agreed to)

Head E4—Replacements, Maintenance and Running Expenses of Vehicles

Mr. Khasakhala: There is another big increase, Mr. Chairman. When you talk of replacements, Mr. Chairman, has the Parliamentary Secretary included, in these figures, the figures of the vehicles which are already replaced and are worn out? If so, why cannot they reduce the figure to a reasonable amount, rather than increasing it to this amount of about £4,000?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): On the question of replacements, Mr. Chairman, many of the Department's Land-Rovers and men's fleet of fifty-seven Land-Rovers and twenty-six three-tonners are nearing the end of

[The Parliamentary Secretary for Lands and Settlement] The Chairman (Mr. De Souza): No, new areas of aerial survey.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I cannot give him specifically what areas were aerially surveyed, but he is well aware from the figures that we have been giving that there is a big build-up of settlement.

(Head E4 agreed to)

(Heads E5 and E6 agreed to)

Head E7—Contract and Aerial Surveys

Mr. Khasakhala: Mr. Chairman, Sir, this is another very heavy increase of £4,000. Could the Parliamentary Secretary explain to us what areas have made this increase in aerial survey necessary?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, we are on E7: is that right?

The Chairman (Mr. De Souza): Yes, E7—Contract and Aerial Surveys.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, the main part of this subhead is to pay for the use of an aircraft for the Director of Civil Aviation's aerial photographs; for the purchase of films; chemicals so as to reproduce photographs. It will be noted that the camera and aircraft are the property of the Department. Photographs thus produced are used by the Photogrammetry Section to produce maps and, occasionally, it is necessary for the Department to have a particular survey done by a firm of private licensed surveyors. When this does occur, the cost of such contracts is charged to this subhead. Now, these aerial surveys have been used to a great extent, first in land consolidation, and, secondly, in settlement schemes. Therefore, Mr. Chairman, like so many of these things, the answer is related to the expansion of the settlement schemes. As the settlement schemes build up, more photographs have to be taken, and there is more expense.

Mr. Khasakhala: Can we be told some of the new areas, Mr. Chairman, which have caused the increase of almost a half? Could he tell us of the areas where he has had aerial surveys, which have made him increase the amount compared to what was used last year?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, the hon. Member wishes me to detail the new areas of settlement schemes. Is that correct?

The Chairman (Mr. De Souza): No, new areas of aerial survey.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I cannot give him specifically what areas were aerially surveyed, but he is well aware from the figures that we have been giving that there is a big build-up of settlement.

Mr. Khasakhala: Mr. Chairman, I would like to know a few of the places.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Cherangani, Kama-koiva, Kaptagat, Kipsonoi, Perkerra, Eburna, Songhor, Muhoroni, Soba, Jesume, Mwangoria. Does the hon. Member want me to go on, or has he had enough?

Mr. Khasakhala: I am satisfied, thank you, Mr. Chairman.

(Head E7 agreed to)

(Heads F1 and F2 agreed to)

Head F3—Passages and Leave Expenses

Mr. Khasakhala: Mr. Chairman, Sir, these are passages and leave expenses to whom? I thought we were now Kenyanizing or Africanizing all these posts. Who are these people for whom these expenses are paid?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, as the hon. Member well knows, although we are Africanizing, there is a residue of expatriate staff for which passages and leave expenses are being made available. It is a relatively small sum and will disappear in due course.

(Head F3 agreed to)

Head F4—Travelling and Subsistence Expenses on Duty

Mr. Ngala: On F4—Travelling and Subsistence Expenses on Duty, can we have some explanation as to why this item is doubling itself? It is under town planning, but we have not seen new townships coming up.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): I think it must be the additional work we are doing in Mombasa and the Coast; Mr. Chairman.

Mr. Ngala: Mr. Chairman, can the Parliamentary Secretary tell me where he is doing new town planning in Mombasa and the Coast?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, on the production of facilities for the capital of the region, which are vast.

Mr. Ngala: Is the Parliamentary Secretary serious, Mr. Chairman, because here is an item which has increased itself by £500, and all that I am told is that it is because of the capital of the region at the Coast. That is an old establishment put up before the Parliamentary Secretary was born, and it has been there all the time.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, I must confess that I was only part serious, but there has been a build up in the work of this very small department, again as a result of settlement. There are members of this small department who have had to go out and do a fair amount of safari work to visit and advise on some scheme, in particular those connected with land settlement, and again this is the answer.

(Head F4 agreed to)

Head F5—Miscellaneous Other Charges

Mr. J. M. Karikuu: Mr. Chairman, I would like to know whether the £724 includes the present set up of towns in my constituency.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Sir, it is concerned with the town planning in the settlement areas within the Member's constituency, yes.

Mr. Gichoya: Mr. Chairman, I want to know whether my new district, Kirinyaga, has been allotted something for the planning of the new townships.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Sir, this particular Head would not be relevant to the type of expenditure which the hon. Member has suggested. If there is money allocated to townships in the new district of Kirinyaga, it would, of course, come out of Development Estimates. This is merely money for running a rather small department.

Mr. Khasakhala: Mr. Chairman, "Miscellaneous Other Charges" is a rather vague term. May we have a break down of this extra £624, because it has increased tremendously as it was only £100 last year?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I cannot give this break down; all I can suggest to the hon. Member is that he should take it from me that it is connected with this increase in settlement and, therefore, the increase in work connected with it.

Mr. Gichoya: Mr. Chairman, I want to know from the Parliamentary Secretary whether town-

ships for the Kirinyaga district would be planned in the same way as the Homa Bay township, or are they just going to be allowed to grow up as shanty towns?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I do hope that the hon. Member will receive all the planning help he needs in his district. If he would care to bring the matter up to me, I will make sure that it is referred to this department of town planning for its consideration.

Mr. Ngala: Mr. Chairman, on F5, I would like the Parliamentary Secretary, if possible, to give us in detail the new aspects on which he is spending the extra £624. If he cannot do it now, will he give an assurance to do so later, so that we know to what this increase is related?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Sir, I will see that the hon. Member gets that information.

Mr. Komora: In the Tana River area, villages have been washed away by floods and I would like to know from the Parliamentary Secretary whether his Ministry is intending to plan for any towns on the uplands where the water cannot reach?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, again I will find out and give the hon. Member an answer in writing.

Head G—Payments to Regional Authorities

Mr. Ngala: Mr. Chairman, Sir, can the Parliamentary Secretary explain how this expenditure of £1 to the regions is arrived at. Also, what is it going to be assessed on, is it on the entrenched clauses of the Constitution according to the Fiscal Commission? Are the regions going to be consulted in assessing this expenditure? I want to know whether it is going to be according to the provisions of the Constitution, and whether the regions will be fully consulted, so that the services of the regions do not suffer in any way.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I did promise the hon. Member that the regions will be fully consulted before we pay them any money. The £1 is, of course, the token figure which is laid down which enables payments to be made to regions when it is proved to be necessary.

(The question was put and carried)

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Chairman, Sir, I beg to move that the Committee doth report to

[The Parliamentary Secretary for Lands and Settlement]
the House its consideration of Vote 14—Lands and Settlement, and its approval of the Resolution without amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT

VOTE 14—LANDS AND SETTLEMENT

Mr. De Souza: Mr. Speaker, Sir, I am directed to report that the Committee of Supply has considered Vote 14—The Ministry of Lands and Settlement and has approved the same without amendment.

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osoyo) seconded.

(Question proposed)

(The question was put and carried)

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 6—PRIME MINISTER'S OFFICE

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

The Parliamentary Secretary, Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair. The Vote that I am moving, Sir, is probably the most important Vote in the whole of the Votes included in the Budget. This is a Vote

that indicates in a concrete manner the constitutional progress of the country. If we had not internal self-Government there would have been no Vote for the Prime Minister's Office today. On the attainment of Independence, which is now only a few months off, the importance of this particular Vote will be increased still further. Now, Sir, on the attainment of internal self-Government, certain powers come to the elected Government of the country as a matter of course. There are other important powers which still remain with the Governor. It is gratifying that His Excellency, the Governor, has transferred some of his own important powers to the Prime Minister. He has, by this action, shown a characteristic regard for the sentiments and susceptibilities of our people. I am sure this action on the part of His Excellency has smoothed the way to Independence, and it is only right that we in this Council pay tribute to the public spirit that the Governor has shown.

Now, Sir, the estimated total of this Vote is £447,500. The two biggest items are £100,000 for diplomatic representation overseas and £232,000 for Supernumerary posts. There are various departments which are under the control of the Prime Minister. Two of the important departments have their own separate Votes. These are the Police and Defence. We shall discuss them separately, but the remaining departments are to be discussed under the present Vote. Now, Sir, this first item of £100,000, as I have stated, relates to diplomatic representation overseas. This is a very important item. The department that is covered by this item is to form the nucleus of the foreign office of an independent Kenya.

ADJOURNMENT

The Speaker (Mr. Slade): If that is a convenient place for you to stop, I think we will interrupt business. The House is therefore adjourned until tomorrow, Thursday, 18th July, 1963, at 2.30 p.m.

The House rose at thirty minutes past Six o'clock.

Thursday, 18th July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 29

REPEAL OF THE PUBLIC MEETINGS ORDINANCE

Mr. Gatuguta asked the Minister of State (Prime Minister's Office): Will the Minister tell the House whether anything is being done to repeal section 5, subsection (3), of the Public Order Ordinance, which provides, *inter alia*, that no person can hold, convene, organize or form a public meeting or procession without a licence from the district commissioner.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I beg to reply. The Government have considered whether section 5, subsection (3), of the Public Order Ordinance should be repealed and have decided that public meetings and public processions must continue to be licensed. Licences are now issued by police officers instead of by district commissioners.

Mr. Muliro: Arising from the reply made by the Parliamentary Secretary, is the Parliamentary Secretary aware that this is an imperialistic infringement on the liberty of the African people in this country?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): The answer is no.

Mr. Mungro: Could the Parliamentary Secretary tell us whether he feels ashamed to go to a policeman, a big person like him in this Parliament?

Mr. ole Tipsi: Mr. Speaker, Sir, could the Parliamentary Secretary tell us the reasons why it was thought possible to remove the authority to license public meetings and public processions from the good hands of the regional Government agent to a police officer?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, as the hon. Member opposite will remember, there has been a change in the Constitution, and accordingly, with that change of Constitution, by Legal Notice No. 402, there has been a change in

the previous set up. The Police are now, according to that Constitution, in the charge of the district commissioner.

Mr. Ngala: Is the Parliamentary Secretary not aware that there is no change really, because in the past district commissioners have been issuing these licences on behalf of the police officers?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): I am not aware of that, and there is no real change except in so far as the Police are now in the charge of district commissioners.

Mr. Gatuguta: Mr. Speaker, Sir, could the Parliamentary Secretary tell the House whether this control of public meetings and gatherings does not contravene the Constitution which provides for freedom of assembly?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): The position, Mr. Speaker, Sir, is that it does not contravene freedom of assembly, because, in fact, the Police have been authorized by the Constitution, under the Public Order Ordinance, to allow public meetings, and the freedom to hold public meetings is still there.

Mr. Muliro: Would the Parliamentary Secretary agree that this is a confirmation of imperialist techniques by the Government?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): No, Sir.

Mr. Ngala: Mr. Speaker, Sir, would the Parliamentary Secretary consider not limiting the times of public hearings, which at the moment is three to four hours?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I think if the hon. Member collects his thoughts together before any meeting, he cannot have much to say which will go on for more than four hours.

Mr. Ngala: Mr. Speaker, Sir, is the Parliamentary Secretary aware that he has not answered my question?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): No, Sir.

The Speaker (Mr. Slade): You will have to repeat your question, Mr. Ngala. He is not aware he has not answered.

Mr. Ngala: My question, Sir, for the benefit of the Parliamentary Secretary was this: At the moment the Government limits public meetings to three or four hours. I am asking whether

[Mr. Ngala]

Government could not consider leaving it open so that there is no limit of time for public meetings?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): My answer, Mr. Speaker, Sir, is no.

Mr. Margoe: On a point of order, Mr. Speaker, could the Parliamentary Secretary speak up.

The Speaker (Mr. Slade): His answer was no.

Mr. Gatuguta: Mr. Speaker, Sir, in view of the fact that in some cases the authorities concerned have been abusing this power, I was wondering whether the Parliamentary Secretary would consider the question of instructing the authorities concerned to give this licence to anybody who wants to hold a public meeting without exercising too much control.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): As everybody in this House knows, the object of African members or anybody else in this House or outside having to ask for licences does not exercise undue control. It is merely to make sure of public safety, traffic control, general convenience of the public and many other things which are to be decided if the House wants.

Mr. Khasakala: Mr. Speaker, Sir, could the Parliamentary Secretary tell us whether the Government would consider that, as there is no more Emergency in this country, removing this section immediately for the convenience of the people of this country?

The Speaker (Mr. Slade): That was the original question and the answer has already been given.

Mr. ole Tipis: Mr. Speaker, Sir, as the Parliamentary Secretary is aware, in the past the district commissioner could—

The Speaker (Mr. Slade): Order, order, I hear cries of "Speech" from the Government side when Mr. Tipis begins to explain the basis of his question. It is quite in order for a Member to explain the background to a question. It is not the same as making a speech.

Mr. ole Tipis: In the past, Sir, the district commissioner could not have issued a licence without consulting the police officer in charge. Now, we want to know what made the Government change its mind, whether it does not rely on regional government agents or what co-ordinating factor is there on a district level?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I do not understand the confused thinking of the hon. Member; I do not know or see what he has to quarrel about. The position is that the police alone now will be concerned with the granting of licences and as it so happens they are also the people who take care of public order and safety. What co-ordination there need be I cannot gather from the question.

Mr. Kiprotich: Could the Parliamentary Secretary explain what action is the Ministry going to take to control the public who are causing disturbances at the moment. The police force is very weak.

The Speaker (Mr. Slade): Order, order, I think you have asked your question.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I am afraid I do not accept that the police in this country are weak. If anything, it can be argued that they are far stronger than necessary.

The Speaker (Mr. Slade): We are, I think, going rather far away from the question. The question is whether there should be control or not.

Mr. Masinde: Arising from the Parliamentary Secretary's reply, does he know that some police stations do not cover some political meetings?

The Speaker (Mr. Slade): That again is getting too far away from the question. That is not a question of whether there should be control or not; it is a question of how effective is the control, which is another matter.

Mr. Towett: Mr. Speaker, Sir, arising from one of the replies given by the Parliamentary Secretary, does he now mean to tell us that instead of going to the district commissioner I have to go to a police officer for a licence to hold a meeting? If so, why is there no police officer or a junior officer, below the district commissioner?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, the person responsible in the case of regions—I think that is what the hon. Member has in mind—is the regional commissioner or any police officer below him to whom he should delegate authority. I do not believe that he would find it impossible to find a police officer somewhere in Kenya at any time.

Mr. Towett: Mr. Speaker, if I may repeat my question for the convenience of the hon. Parliamentary Secretary. My question was that the Parliamentary Secretary now tells us that instead

[Mr. Towett]

of me going to a district commissioner to collect a licence for a meeting I have to go to a police officer. If that is so, what happens in an area where there is a district officer but no police officer, who will give the licence for the meeting?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, the answer to the first part of the question is yes. To the second part is, that there is no part of Kenya which is not covered by one police officer or another.

Mr. ole Tipis: Mr. Speaker, Sir, could the hon. Parliamentary Secretary tell us what happens in posts which are manned by a police corporal, ought I to go and apply for a licence there?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, if the regional commissioner of the appropriate region in which the particular station is sited, only has a corporal in charge of a police post, then obviously the corporal will have the power, provided it is given to him by the regional commissioner of police.

Mr. Gatuguta: Mr. Speaker, Sir, does the Parliamentary Secretary think that this Public Order Ordinance might be removed in the near future when probably the security of the country is good?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, that is rather peering into the unknown future and I should not like to comment at this stage.

The Speaker (Mr. Slade): I think we have given this question long enough now.

Question No. 37

LANDLESS KIKUYU FAMILIES IN EMBU

Mr. Mibogoh asked the Minister for Lands and Settlement: Is the Minister proposing to take any steps to deal with the problem of some 3,000 Kikuyu families, now living in Embu, who have become landless as a result of land consolidation and who are now without any means of livelihood.

The Minister for Lands and Settlement (Mr. Angaine): The Government is very concerned about landlessness and unemployment among the Kikuyu, which is more acute than in any other part of the country—

Hon. Members: Question, question.

The Speaker (Mr. Slade): When hon. Members ask questions they should at least bear the answers in silence, and if they have questions, as they keep shouting, they have supplementary questions they can ask in due time. I do ask hon. Members to control themselves.

Mr. Masinde: On a point of order, Mr. Speaker, is the hon. Minister in order to mention a particular tribe as the only tribe with problem of landlessness?

The Speaker (Mr. Slade): The Minister is answering a question which relates specifically to the Kikuyu. He is quite entitled to deal with the scale of the problem of these Kikuyu.

The Minister for Lands and Settlement (Mr. Angaine): It has already received the assent of the British Government to an accelerated settlement scheme by which the original five-year programme is being concentrated into three years. The result of this is that we are now in process of buying a total of 150,000 acres in the Central Region for our 1963-64 programme, and will be buying a further 138,000 acres in that region as part of our 1964-65 programme.

The selection of settlers is a matter for regional authorities, and those Kikuyu now living in Embu should therefore make their applications to the appropriate body of the Regional Assembly.

Mr. Kiprotich: Mr. Speaker, Sir, could the Minister tell the House how many Africans other than Kikuyu are landless?

The Speaker (Mr. Slade): I will not allow that question. It is not relevant.

Mr. Mibogoh: Mr. Speaker, Sir, would the Minister tell the House what he is going to do with the notices served to the landless people by the Government to quit the place in which they live?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, no notices have been served by the Ministry of Lands and Settlement.

Mr. Ngala: Arising from the reply of the Minister, Sir, we are made to understand that the Minister has a plan to settle these people; but can the Minister tell us what he is doing now to help these people of Embu or Kikuyu origin who have no means of livelihood, as put in the question, before he settles them?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, the protection of settlement schemes in the Central Region is entirely in the hands of the regional authorities.

Mr. Ngala: Mr. Speaker, Sir, I think the Minister did not understand my question; I am prepared to repeat it.

The Minister has made it quite clear, that he intends to settle these Embu Kikuyu people in the Embu district very soon, but it is also indicated in the question that these people are without any means of livelihood now. What is the Minister doing before he can settle these people, as far as their livelihood is concerned?

The Minister for Lands and Settlement (Mr. Angaine): Sir, I am providing the settlement schemes as soon as I can.

Mr. Murgor: Mr. Speaker, still the hon. Minister has not given us a definite reply. These people are living without food and we want to know when they are going to be helped or to be put in the schemes.

The Minister for Lands and Settlement (Mr. Angaine): Wait, and see.

Mr. Khasakhala: Mr. Speaker, Sir, would the Minister tell the House how soon he intends to settle these people who are finding difficulty in earning their living? How soon will he settle them?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, in due course.

Mr. Mbooboh: Mr. Speaker, Sir, would the Minister assure the House that the people who have already been imprisoned out of that lot because they cannot pay their taxes are going to have their terms remitted?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, that does not come under the scope of my Ministry.

Mr. Murgor: Mr. Speaker, arising from the earlier reply from the Minister when he told us to wait and see, are we to wait and see these people die?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, the answer is no.

Mr. Ngai: Mr. Speaker, Sir, I would like the hon. Minister to tell us what he is doing at present about these 3,000 Kikuyu families who are penniless. I think that is a straightforward question, Mr. Speaker.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I have already answered that question.

The Speaker (Mr. Slade): I am afraid hon. Members are not going to get any more out of the Minister.

Mr. Kenyatta, I think you have a statement to make.

MINISTERIAL STATEMENT

BUSINESS OF THE HOUSE

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, with your permission I would like to make a short statement to the House on the programme of the future business over the next two months, and the arrangements the Sessional Committee made at its meeting on Tuesday for its despatch.

The Sessional Committee has agreed that the House should continue to sit up to and including Friday, 2nd August, without double day or night sittings, and during this period Supply Days will be ordered on each Government business day—that is Tuesday, Wednesday and Friday—not later than two hours before the normal time for the interruption of business. This will enable Government business to be dealt with and at the same time allow the House the maximum number of Supply Days. Thursday will remain Private Members' Day. At the time for adjournment on Friday, 2nd August, three Supply Days will remain outstanding and in order to complete these and deal with any Government business that remains incomplete the Sessional Committee has recommended that the House should reassemble on Tuesday, 10th September, and sit for that week, rising on Friday, 13th September. This means that the House will go into recess on Saturday, 3rd August, until Monday, 9th September, inclusive. It might be found necessary, however, to recall Members one day in August to attend an Electoral College for the election of Kenya Representative Members to the Central Legislative Assembly. But this depends on how soon the East African Common Services Organization can effect the appropriate amendment in their Constitution to validate the election.

Mr. Alexander: Could I just ask a question, please Mr. Speaker. Have Government in mind any Bills that they will require to take with less than fourteen days' notice, as was the example with two Bills yesterday.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, the Government cannot state at this stage whether it will be necessary or not. We hope that it will not, but there may be circumstances where it might be necessary to do so.

Mr. Murgor: Mr. Speaker, Sir, in view of the unsatisfactory answers given by the Minister for Settlement—

The Speaker (Mr. Slade): Order, order, Mr. Murgor. I am not sure whether everybody has asked all the questions that they wish to ask the Prime Minister. If there are no further questions then you may continue.

NOTICE OF MOTION ON THE ADJOURNMENT

LANDLESS KIKUYU FAMILIES IN EMBU

Mr. Murgor: Mr. Speaker, Sir, in view of the unsatisfactory answers given by the Minister of Settlement, I wish to raise a Motion on the Adjournment.

The Speaker (Mr. Slade): On the question of landless people in Embu?

Mr. Murgor: Yes, Sir.

The Speaker (Mr. Slade): I do not know whether it will suit the Government to have this matter raised on Thursday evening? I think we can have it on Thursday of next week. Does that suit the Minister?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes.

Mr. Seroney: Mr. Speaker, Sir, I am sorry that my question did not come before my hon. friends. My question is, that the Prime Minister's programme is published on Government business and I find it strange that the Minister for Constitutional Affairs says that he is not sure of what Bills are coming—

The Speaker (Mr. Slade): Mr. Seroney, hon. Members have had their opportunity to ask questions: it is too late now.

MOTIONS

ENCOURAGEMENT OF MINING

Mr. Masinde: Mr. Speaker, Sir, I beg to move—

THAT in order to encourage further mining in Kenya, and increase its national resources this House urges Government to explore all possible ways and means of attracting interested firms to exploit the Kakamega mine.

Mr. Speaker, Sir, with your permission I would like to amend the word "Rosterman" and substitute "Kakamega". In the past twenty years we have had a firm operating in this district under the registered name Rosterman mine. This firm found it very difficult to get on with the mine because at the place where it was marked to mine it found that it could not get more gold. It

therefore found that it was uneconomical to continue. In my district, in the Land Report of 1932, it was reported that a part of the location, Inukha, Idakho and North Maragoli, were areas which contained nothing but gold. These areas were closed to mining by the Government because it thought that they had nowhere to put the people who were living in these locations. What I am, at the moment, trying to point out to the Government is, that since we have these settlement schemes and we have places where we could get some more money in this country through mines, it would be a good thing if Government could look into the possibility of settling these people somewhere so that we can open this area now for mining. We know that Kenya will remain the same Kenya of 1911/12. It will not get bigger although the population is increasing daily. Unless we have big industries where we can employ this surplus of people—where they can earn a living—it will be very difficult to govern this country. What I would suggest to the Government is that the mining industry is one of the industries which can employ thousands and thousands of people. If the Government still think that Land Settlement is going to solve our problem, I do not think that they will get any further in the future. Perhaps about 20,000 people only can be settled and the rest of the people who cannot earn a living will continue like that without being settled. If this part of the country was explored and opened up by the Government for the purpose of mining, then some more people could be employed. This will also boost the economy of this country. It is useless for Ministers to travel around the world looking for money, if we have in the country a means of boosting the economy. What the present Government should do now is to encourage any firm which is willing to explore this mine at Kakamega and find the source. It will be difficult for any private firm to start mining unless the geologists have already worked out the source of the minerals. The source has not been found. This Government should direct the geologists to find where the source lies so that any firm wishing to mine can be shown the right place. The Rosterman firm could not find which was the actual spot, they were only registered to mine at the place where they could get no more gold. It became very uneconomical.

With these few remarks, I wish to say that the Motion itself is self-explanatory and I think the Government will see that the place which have hitherto been blocked up should be opened for further mining.

Mr. Masinde: Mr. Speaker, Sir, I rise to second this Motion. Although the contribution of gold

[Mr. Maruuli] to the Kenya economy has not been estimated, the search for gold in Kenya has had a long history. The Government of today should look into the matter of gold mining in this country so as to improve the situation. The failure of gold mining came about in Kenya because it was done by individual prospectors who did not have enough financial aid to explore the site. It is now the duty of the present Government to take over this work and see that something is done about mines, especially the Kakamega mines. Mr. Speaker, Sir, the Kakamega mine is actually an alluvial type of gold mine; this can be mined and consequently can contribute something to the economy of the country.

In 1932, when the country was in a very bad state, mining was taken over by the farmers who were interested and thought they would make a lot of money. After the first world war, they went to dig for gold, but they lacked money. What we want on this side is for the Government to encourage interested firms to mine this gold without imposing any taxation—make it free of taxation—until the mine is operating successfully. This would encourage firms from overseas and those within this Colony to try to mine the gold.

Without gold and other minerals, this country is going to remain very poor. Look at South Africa, Ghana; these countries have gone ahead because they have a mining industry. We should not just rely on land settlement; we are not going to settle everybody in Kenya. We must have something else besides. Some of this money should be made available for the exploitation of mines. We shall only settle a few people on the land. Let us try to think of other things. The Government should have several ways by which they can raise money for the Colony. The Government should stimulate the working of these mines by adopting a long-term policy.

As an example, we can see that in 1932 the Kakamega mine produced a lot of gold; it produced 1,096 ounces of gold while the rest of Kenya produced only 624 ounces. This shows that there is something in the Kakamega mine. We need the Government to look into this question and do something about it.

It is not just a matter of bringing this as a Motion, nor a matter for the Government to say they are going to oppose something which has come from the Opposition side. We do not want that attitude here. We want the attitude where everybody thinks constructively for the benefit of everyone in Kenya. That is where we are standing. I hope that the Government and Members on

the opposite side will do their best to support us and let this mine be started at once.

With these few remarks, Mr. Speaker, I beg to second the Motion.

(Question proposed)

The Minister for Natural Resources (Mr. Sagin): Mr. Speaker, Sir, I cannot support the Motion as it stands. The desirable object of encouraging further mining and capital cannot be attained by the re-opening of the Rosterman Mine. The reason is that the ore resources are apparently exhausted. In spite of continual exploration work, aided by nearly 2,000 feet of diamond drilling by the management before the closure of the mine in 1952, no new sources of ore could be found. During the period of the life of this mine extending over 17 years, the total dividends paid to shareholders amounted only to 24 per cent of the capital of £400,000. This is very serious. The shareholders therefore lost two-thirds of their ventured capital, and what is more they never obtained their interest on their money.

Mr. Speaker, Sir, not unnaturally, this is unlikely to attract further capital for re-opening the mine below the 20,000 feet depth level. Indeed, the cost of reclaiming the mine would be unwarranted on both technical and economic grounds. A full account of the Rosterman Mine is contained in the Mines and Geological Department's Report No. 28 on the Geology of the Kakamega District.

Other mining possibilities may well exist in the Nyanza area, and indeed in the whole territory. These will be considered by the United Nations Mineral Resources project, if the project becomes operative.

Mr. Speaker, Sir, I beg to move an amendment to the Motion by deleting the last three words, "Kakamega (Rosterman) Mine", and inserting, "mineral resources of Kenya". The amendment Motion would then read: "That in order to encourage further mining in Kenya and increase its national resources, this House urges the Government to explore all possible ways and means of attracting interested firms to exploit the mineral resources of Kenya."

Mr. Speaker, Sir, I beg to move the amendment.

The Speaker (Mr. Slade): I am afraid I shall not be able to allow that amendment. An amendment can only be allowed where it preserves the substance of the Motion, and just adds a little or takes away a little in some way. Here the effect

[The Speaker] of the amendment, indeed the declared intention of the amendment, is to oppose the basic idea of the Motion. The basic idea of the Motion is the exploitation of the Kakamega District Mine and nothing else, and the purpose of this amendment is to negate the exploitation of that particular mine. I am afraid it cannot be allowed. The only alternative for Government, really, is to oppose the Motion.

The Parliamentary Secretary for Labour and Social Services (Mr. Odeoro-Jowi): Mr. Speaker, Sir, "we" know that in various East African countries, mining has played a great part in boosting the economy, and the only wish which we have is for the same opportunities as exist in other countries. We know that if some parts of Kenya could suddenly throw up mineral resources, the economy would be boosted considerably, but, Sir, it does not mean that because we wish to see mining boosting the economy of Kenya, we should go back to old, depleted mines to try to find what there is in them.

We know for certain that, for as long as these mines do produce minerals, capital will come in and skill will be attracted to exploit them. Sir, I know several depleted mines in the Nyanza Region which have been closed down because they are no longer economic to work. The Kakamega mine is one of them.

Mr. Speaker, Sir, it would be a great waste of time and the Government would lose prestige if they approached foreign prospectors and investors to go back to a depleted mine. Mining is an extractive industry and it is always understood that after some time, a mine will be closed because it is either uneconomic to work or because the minerals are exhausted. As the previous speaker mentioned, the Kakamega mine has been exhausted and it is no use going back to this.

I would like to oppose the Motion, Mr. Speaker, Sir, because instead of attracting and focusing our attention to other mining areas, this Motion is drawing us back to areas which have already been tried and where mines have been struck and have been abandoned because they could not be worked at an economic profit.

The first speaker, the Member of the Motion, mentioned that some time back the Kakamega mines were leading in production. This is true, and if you follow the history of mining in Nyanza from that time you will find that most of the mining interest shifted to Mascalder Mines in South Nyanza. This was because after the peak production period, the miners found that it paid them more, and it paid them better, to shift

to places like Mascalder Mines. I am glad to say that most of the labour which was used in the Kakamega Mines shifted to Mascalder Mines with the great success because there—I mean, Mascalder Mines—up to the present time mining is still being carried out at economic profit.

Mr. Speaker, Sir, this Motion is negative and I would like to oppose it. Thank you, Sir.

Mr. Mafiro: Mr. Speaker, Sir, I find it very difficult to believe that the Minister has deemed fit to reject this Motion.

The history of the Kakamega Mines is very clear to those who were associated with the exploitation of that mine up to this very day. The surrounding locations, Sir, of Idakho, Sohar and Maruoli areas were deemed to have the mines, and possibly the force of the mines. What was formerly known as Rosterman Mine does not lie in the location of Idakho, it might possibly lie in Maruoli location or another location. For that matter, Sir,

(Inaudible.)
This is why we say—

The Minister for Natural Resources (Mr. Sagin): On a point of order, Sir, I would like to make a correction here. I did not say seventeen acres. I said seventeen yards.

Mr. Mafiro: Thank you very much. That is a point of information. The position becomes much more absurd when we consider that the Government only judges its case on seventeen yards and not more. If it was a quarter of a mile this would have some meaning. But to say that because in seventeen yards we have not found the source of the mine it is deemed to be uneconomic is hopeless. It is very clear, Sir, that exploitation of the mineral resources, the geological surveys, in any colonial territory is a very precarious undertaking by the administering country. Since Kenya has been a colony the British Administration has not exercised its energy in trying to discover what mineral wealth there is in this country and therefore the Kakamega Mines has suffered. Therefore, Sir, as we move to independence, and we require to generate more wealth in this country in order to provide those very desired social services for the people of this country, we urge the Government to reconsider its attitude and let them do something towards finding the real source of the Kakamega Mine.

If we want to accept the same attitude which the Colonial Administration has been adopting at all, we are not going to develop this country as well. A Kenya Government must take the greater risks today than the Colonial Administration ever

[Mr. Muliro] dreamt of taking. Therefore, Sir, I would like to urge the Minister in all earnestness to let the Government try to interest the people—and I know that there are people who are interested; there also are organizations which are interested—to come and examine the true mineral potential of the Kakamega Mine. If this is done we are going to do something worth while for this country. This is so because the seventeen yards only could never determine how rich the gold was at Kakamega.

Also, wherever gold is found—anywhere—there are also allied minerals which go hand in hand with gold, and which are normally around such a mineral deposit. That is why, Sir, we on this side would urge the Government to reconsider its decision and undertake mineral surveys in the area. The argument is that the people from Isukha, Idakho or Maragoli who were living on the ground where the source of the gold was supposed to be, have nowhere to go. Today, Sir, we have land in the Western Region to which we could transplant even the whole location, in order to enable the exploitation of that mine, if the truth is that the mine is large and extensive. We know this fact, Sir, and we have the land on which we can settle the population which will be found around the deposit.

Therefore, we urge the Government, Sir, to look into this very seriously and let us all cooperate with the Government in discovering new resources.

With this, Sir, I beg to support.

Mr. Agar: Mr. Speaker, Sir, I do not see the need for long speeches on this Motion, because it points out to the Government that it should urge firms to look into a place with the possibility of mining, but the Opposition goes on arguing this matter after hearing the Minister say that the prospecting which was carried out and the work which was done after that prospecting has proved that the mineral resources there—particularly gold—do not exist in a reasonable quantity to justify the continuation of it.

I am sure if the mining company had found that there was a sufficient quantity of gold in the area they would not have abandoned it, but if Members had done their homework or had proved otherwise from a geologist or an expert that this company was lazy or the prospecting which was done was not sufficient or not done with proper machinery, then they would have had a case to put to the Government, because we also, on this side of the House, desire to see an increase of wealth in this country. We cannot

ignore a place where gold exists. However, I think, Mr. Speaker, Sir, although we are not experts, all the evidence points to the fact that there is not a sufficient amount of gold in the area. Therefore, there is nothing the Government can do to attract firms to come to the area.

So the Government Motion rejecting this, that mineral resources throughout Kenya should be explored, is the one which we support.

The Speaker (Mr. Slade): That amendment is not before the House, Mr. Agar. I know it is in the argument, but it is not actually laid before the House.

Mr. Agar: Thank you, Mr. Speaker.

Therefore, we oppose this Motion on the grounds that the quantity of gold which has been found in that place is probably exhausted or is inadequate for any economic mining.

Mr. Ngala-Aboki: Mr. Speaker, Sir, I rise to oppose the Motion.

In fact, I would like to answer some of the points raised by the hon. Member on the opposite side, the hon. Mr. Masinde Muliro. The attack which we have from time to time is that we on the Government side are adopting a colonial attitude. Whatever questions are raised by the Opposition, they allege, without substantiation, that what we are doing is simply adopting and carrying on with the attitude of the colonial powers. In this particular Motion that allegation does not arise, because when this mining was being done, the so-called Rosterman, the company was interested in benefiting from the gold that could be found to satisfy the company and to benefit the country in turn.

Mr. Masinde: A point of information, Mr. Speaker.

The Speaker (Mr. Slade): It depends whether the hon. Member is prepared to give way or not.

Mr. Ngala-Aboki: I am not, Sir.

Mr. Shikaka: On a point of order, Sir, is the hon. Member in order to refer to the Rosterman as the "so-called Rosterman"?

The Speaker (Mr. Slade): I do not see anything wrong there. It was in fact so called.

Mr. Masinde: On a point of information, Mr. Speaker—

The Speaker (Mr. Slade): Mr. Masinde, if you want to raise a point of information you should seek permission from the hon. Member rather than from me. You should ask if he is prepared to give way.

Mr. Ngala-Aboki: The Motion does not need me to give way because it is a Motion which is lacking in many aspects and what I already know about this Motion is sufficient so that I need no more information, Mr. Speaker, Sir, I am merely answering some allegations which have been made from time to time by the Opposition.

This one actually comes from the hon. Member, Mr. Masinde, saying that we are trying to adopt the colonial way of thinking, that whatever work we do is simply a continuation of what the Colonial Government has been doing.

The Speaker (Mr. Slade): Mr. Ngala-Aboki, I think Mr. Masinde wanted to correct you on what he said. In this case, it is courteous to give him a chance, and it may be of assistance to you. You should, I think, give way.

Mr. Masinde: I would like the hon. Member, Mr. Speaker, to explain what he meant when he said Masinde Muliro. Did he refer to Masinde or Muliro? That is one point.

The second is that I have ruled out the question of Rosterman, and now it is the Kakamega District, because the Rosterman is just a small place, but I was referring to the other areas which are closed for mining purposes in Kakamega District.

Mr. Towett: On a point of order, Mr. Speaker, the hon. Member who has just been speaking is saying that on the Paper the word Kakamega is not bracketed, but the hon. Member who moved this Motion did point out that the word Kakamega should replace Rosterman. Is he now in order in saying to the House that the word Kakamega is not bracketed on his Paper?

The Speaker (Mr. Slade): I understood, when Mr. Masinde altered his Motion, that he wanted to substitute the word "district" without brackets for the word "Rosterman" in brackets. We all know where we are now, I think.

Mr. Ngala-Aboki: I quite understand the Motion, Mr. Speaker, but the Opposition is merely trying to confuse things instead of allowing me to tell them what is involved.

I was actually referring to the hon. Mr. Masinde Muliro and not the hon. Mr. Masinde, the Mover of this Motion.

The attitude adopted by the Government is that, according to the Minister concerned, there is nothing to be gained from asking any firm to go on exploring the possibilities of obtaining gold in this area, and it has been based mainly on economic grounds, not because this Government wants to continue with colonial ideas. Moreover,

the company which was exploring this area was interested in benefiting from what was found at that time; what was found there was to benefit the company, not the people of this country, as far as I know. Basically, the company starts to explore something so as to satisfy itself and then what the people may gain is either employment, or the country will gain economically at a later date. But the first interest is with the very person working to find out whether there is gold or not. So on this particular case, if it could be beneficial to get further work on this field—of course, it could be continued.

Mr. Muliro: On a point of order Mr. Speaker, does the hon. Member suggest that any private industry which employs labour in this country is of no benefit to this country?

The Speaker (Mr. Slade): It is not a point of order. You ought to know that by now, Mr. Muliro.

I cannot allow hon. Members, particularly experienced hon. Members, to interrupt on fraudulent points of order.

Mr. Ngala-Aboki: The second point Mr. Speaker, is that the Opposition in bringing forward this Motion did not have facts in their hands to prove that there is a possibility of obtaining gold there. The fact that they say that seventeen yards did not go deep is not enough to prove whether gold was present or not, does not help them bring this Motion forward, because these very people, the Company, confirmed through the work they did that it was a waste of labour and a waste of time to continue going deeper, going further, and that is why they abandoned the plan. That should be sufficient evidence to prove that there is no need for sweating and working on that particular area again.

With those few remarks, Mr. Speaker, I beg to oppose the Motion.

Mr. Towett: Mr. Speaker, Sir, I rise to support the Motion and ask the hon. Gentlemen opposite to try and reason and think properly. They stand up—they do not make a slip, but are blundering—and try to talk. What this side of the House is asking for is some further investigation and, if necessary, further capital wasted to try and find out whether there is gold in this place or not. Mr. Speaker, that is what we are trying to do. It is sometimes very necessary and absolutely essential to waste some money in the hope that what you are doing will give you more money in the end.

If this Government is not trying to inherit colonialist techniques, is this Government prepared, as an African Government, to waste some

[Mr. Towett]

money from the taxpayers' pockets and investigate whether there is gold in Kakamega District or not?

Mr. Speaker, Sir, the hon. Member, Mr. Ngala-Abok, who has just been speaking—I understand the name can be Abok-Ngala or Ngala-Abok—has said that the Government is not—

Mr. Ngala-Abok: On a point of order, Mr. Speaker, is the hon. Member allowed to play about with another hon. Member's name?

The Speaker (Mr. Slade): A reasonable amount of humour is allowed, but when it becomes personal hon. Members must be very careful not to give offence. I do not think Mr. Towett intended any offence.

Mr. Towett: I wanted to tickle the hon. Member and get him on his feet. Sir, I did not want to offend him.

He has said that we on this side of the House have been accusing the Government of probably adopting colonialist techniques, and so on, but this is exactly what this Government is doing today—

The Speaker (Mr. Slade): Mr. Towett, I know you are not the first to raise this, but I really do not think this question of whether this resembles colonial activities or not is relevant to the desirability of the opening of the Kakamega District mine.

Mr. Towett: Thank you, Sir, it is not relevant, but I just wanted to point out that if this Government is not going to look at this and is going to say that from the files, from the geological surveys which were done and put on record by good friends who were under the colonialist régime, if this Government today is going to tell us from those obsolete files and investigations of ten years ago, that they have enough data to tell us there is no gold at Kakamega, we will never agree with them. What we want, Sir, is for this Government to tell us today that, since they took effect two months ago, they have actually sent people to Kakamega to look at that place and find out whether what was put down there by those of long ago is correct or not. We do not want to inherit bureaucracy in African—

The Speaker (Mr. Slade): Mr. Towett, I think—probably unintentionally—you are misrepresenting what the Minister said. He did not say that exploration had been carried out by the previous Government, he said exploration had been carried out by the previous mine-owners over a long period to see if they could find any more gold. He never mentioned any previous activities by Government in this respect.

Mr. Towett: I am sorry I think that you misunderstood me. I was referring mainly to what Mr. Ngala-Abok had said, and not what the Minister said. I am quite aware that this—

An hon. Member: On a point of information, Mr. Towett: I will not give way. We have learned on this side of the House that the Government is not willing to give away on any point and we are going to copy them.

If the private company, private concern, or firm which was there was being worked privately, we want to know from the Government how they came to possess all the data and all the facts of this private firm. Unless the Government was working in conjunction with the private firm and unless the Government asked the private firm and paid them some money to give them the information. We want to know how the Government obtained its information. Of course, Sir, the Geological Department is not a private firm, it is a Governmental Department, which should supply information to the Minister and the Government on whether gold is likely to be obtained from the Kakamega mines or not. What we are interested to know here is whether this Government is trying to show a negative attitude towards the Motion by the Opposition, or is this Government keen to listen to suggestions and ideas? Do they want to find out if the suggestions are worthwhile; that is what we are trying to find out. This Motion should not take a long time because all we wanted was for the Minister to say "Look here, gentlemen, we are going to look into this matter next week."

With these few remarks, I beg to support the Motion.

The Minister for Commerce and Industry (Dr. Kiatio): Mr. Speaker, Sir, I should not really be speaking on this Motion because I am speaking on a Motion later. I was the Minister in charge of Commerce and Industry which included Geology in the year 1961. Whether we wish to indulge in prayer or wishful thinking or not, it will not alter the fact that the Rosterman Gold Mine Limited which employed the services of the engineering firm known as the Newark and Co. worked on this area and they did not find gold worthy of exploitation. We may play with words "imperialism," "colonialism," and so on, but the fact is that if a private company is registered and puts its capital into the search for mineral wealth, it is not going to say then that there is no gold, after they have spent so much money. If it does then that is not very good business sense. Therefore the question of imperialism, or colonialism, does not enter into

The Minister for Commerce and Industry]

it. The fact is that the Company did stake so much of its own money on the venture and in search of gold in this area and came to the conclusion that it was not worth it. Therefore, let us stop playing around with these words. It is no use for the Opposition to tell Government that despite of what these fellows did we should—as nationalists—reject their capital and resort to other sources of money. Professional geologists have already proved the facts and we need no other proof. We will only spend more money and then have to come to the same conclusion as the professionals. I think that it was a waste of money. I think that Kenya is not in a position to waste money when it has in its hands the means to save the money; knowing as it did that the mine had already been proved an unprofitable concern. If I may add to what has been already said by my colleague that funds have been coming from the United Nations to open Kenya for mining, and not just the Kakamega District, so as to enable Kenya, as a whole, to complete its geological mapping to realize what we have in Kenya as far as mineral wealth is concerned. Therefore, Mr. Speaker, my opinion is this: We should not waste any more money on Kakamega because we have enough adequate proof that it is useless to spend money there. That is why we are rejecting the Motion. If the Motion said that we must increase our efforts to find what this country possesses in minerals, we would agree with it. But this particular Motion deals with an area on which we have full information and where we have resolved not to spend another cent.

Therefore, Mr. Speaker, Sir, we reject the Motion.

Mr. Shikuku: Mr. Speaker, Sir, this is a very simple Motion on which we should not have wasted such a lot of time. It appears that the hon. Members on the other side of the House are out to talk and talk to try to convince this side of the House that they are talking sense when in fact they are not. The Motion is simple in that it is calling upon the Government to explore the possibilities of mining in Kakamega District. We have been told by the Minister himself and he went to the extent of moving an amendment to the Motion—although I do not know whether we are debating on the Motion or the amendment to the Motion—

The Speaker (Mr. Slade): I made it quite clear that I rejected the amendment. We are still debating the original Motion.

Mr. Shikuku: Thank you, Mr. Speaker, so it is on the amendment. The Member in the course of his speech made it known to us that apparently

—and note the word apparently—the investigations as to whether there was any more gold in that area, had been exhausted; the outcome revealed that the gold was finished. But he said that this was only apparent. In view of the fact that these investigations were carried out a long time ago, I was wondering whether the present Government would be sensible enough to agree to investigate a new move to see whether there is anything there. The Member said that it was only a question of seventeen yards—I come from that area and I know that the Kakamega District is not only seventeen yards. The amendment was on the Kakamega District it should be noted. When the Minister said only seventeen yards he was in fact talking about the Rosterman Mine, and not the Kakamega District. If attempts were made in the Butere Constituency they might find gold there of which they knew nothing. If there are amounts there well and good. They are minerals after all. I feel, Mr. Speaker, that we should not waste time on this. All we want from the Government is their acceptance of the fact that the reports submitted by other people before may or may not be correct. It would be the same as if I said to the Government that we had only one African Member in this Parliament in 1944 that we should have only one now. We have been fighting to improve this Parliament, so we should also fight to see if we can get more gold. I think that it is not right for us to say it is unfortunate that we cannot get gold in this country when that we are right in our assumption. After all, Mr. Speaker, the scientists are never tired. The moon has been reached. Satellites have been sent to the moon with dogs in them and in the future there will be human beings who will reach the moon. Eventually, perhaps some of us will go to the moon and we will live there. But we must continue with exploration. I think that the Government would be well advised to investigate further into the possibility of their finding gold in Kakamega. They should also try other parts of Kenya. The Minister for Commerce and Industry mentioned other parts of Kenya and I was talking in the same vein. The Motion is on the Kakamega District and not the Kakamega Rosterman Mine. There is a difference. I think the hon. Minister has not visited that part of the world. Let us agree that in the interests of the country that the Government goes ahead and tries to find out for themselves—and let us have the report—whether there is any gold in Kakamega.

I think that the Government would be doing a lot of good if they agree to this. With these few remarks I beg to support.

Mr. De Souza: I beg to move:—

That the Mover be called upon to reply.

(The question was put and carried.)

Mr. Masinde: Mr. Speaker, I am surprised at the answers of the Government side. It appears that the Minister is not aware of the facts concerning this place. I made it quite clear in my speech that Rosterman was not the place in question. What I wanted to point out to the Government in this Motion was that the source of the gold in his district had not been found. What I wanted the present Government to do is to send out geologists to find out where the source of the gold is. People have been known to go down to the river and get gold by panning for it. Yet the Government tells us that there is no gold there. How can this be? If the Government is unprepared to send out these geologists then let the Government assure this House that any firm interested in mining gold in this place will be exempted from taxation. There are various people who are interested in mining in this district. But this place has been closed down. In 1930 the Land Report declared that this whole area was about 35 square miles. The worry at that time was where they were going to put the population of the locations North Maragoli, Sukha and Idakho. There is no need to tell us that there is no gold in the Kakamega District because if the Government refuse to consider Kakamega then all the money that is coming from United States will be wasted. The only thing that remains to be done is to go back and explore that district.

With these few remarks I beg to move the Motion.

(The question was put and negatived.)

MOTION

INDUSTRIES FOR UNEMPLOYED

Mr. Shikuku: Mr. Speaker, Sir, I beg to move the following Motion:—

THAT this House being aware of the great unemployment throughout the country and the immediate need to provide employment calls upon the Government to establish industries not only in or round Kenya's capital, but throughout the country.

Mr. Speaker, Sir, the Motion itself is simple and self-explanatory. My intention in moving it is not to try and imply that the Government so far has done nothing, or that the Government is not aware of the great unemployment problem in this country; far from it. I know they are aware of it, so am I, and so is this side of the House.

The main point in bringing this Motion here, Mr. Speaker, is to try and see what we are doing about the great unemployment in Kenya, and above all in conjunction with the establishment of industries in this country.

Mr. Speaker, Sir, I have in mind three causes of unemployment. First, it is partly because of political speeches which have been made by Members on this side of the House and on the Government side which have scared some of the investors. The result is that they have quitted this country, and our poor Africans, or Kenyans, have to suffer from unemployment.

Another reason, which I feel the Government should take into account very seriously, is of encouragement of local production in this country. It has not been given the support of the Government, nor of Members on this side of the House. For example, Mr. Speaker, there are locally-produced articles, such as shirts; I have several shirts which were made locally. Somebody makes very good shirts locally in Nairobi. If these local shirts were worn by Ministers and Members on this side of the House, and the people were told that these are our own tailored shirts, and that they are cheap, and that buying them would encourage the man who had produced them, they would enlarge his business and thereby absorb some of the unemployed people in his factory. That is a very, very important issue and I shall be coming back to it in a few minutes' time.

The third reason is the land licensing of the industries here. What is happening in Kenya now—and I shall tell you the place to go around—is that if someone wants to establish an industry all he has to do is to get the building erected. After that, he has to have a little capital, and he decides on what industry he is going to establish. Then all he does is to inform the Government, and the Government officer, has a look at the building and finds out if it is suitable or healthy enough for such-and-such an industry. After that he just has to go ahead. The result is that some people have been permitted to start industries, and in the long run those with more capital, realizing that a certain industry is going to make money, come in a big way and establish a larger building with facilities, and the poor man who started it just dwindles away into oblivion. These he has employed find themselves out of work.

These are the three factors which have created unemployment.

Now, Mr. Speaker, Sir, I do not think mere talking of the establishment of industries or of investors is enough. To my mind, that is just building castles in the air. I know that unemployment is a matter which needs urgent attention.

[Mr. Shikuku]

and if we continue talking about investors coming to this country some time, and industries being established some time. What are we doing about the position of the people who are unemployed. People are going hungry; there are people who are unable to pay their taxes; the African district council rates. Then they are forced to lead a life which is not the life of human beings. There are men, for example, in my area, who are unable to pay their African district council rates. They rush to Nairobi to look for employment and when they come here, usually not neatly dressed, they are easily detected by the police. What happens is that they are arrested, then sent to court, and taken back to their own district. When they left home, their mothers or families expected that they were going to get a job and thereby help their people, but they find them coming back, this time as prisoners with handcuffs on. It is done in such a way, Mr. Speaker, that these unemployed men are brought back to his home wearing handcuffs, and they are removed from them in front of their families.

The Speaker (Mr. Slade): Mr. Shikuku, I do not think these details are relevant to your Motion, really. The question of unemployment is, but not the treatment of the unemployed. That is not relevant to your Motion.

Mr. Shikuku: I was just trying to emphasize how this situation comes about and how awkward it looks when someone goes to look for employment and comes back in a different shape altogether. This man is taken back to his home, and finds he is unable to help his family. The next day, the authorities approach him, and this time if he still fails to pay his African district council rates he is then taken by the local authority to work on the road, for which he is not paid. It has been realized that sending people to prison costs the Government money for the upkeep, their food and clothing, and so they are put on the roads to work and then go home. This man may have nothing to eat at home, he has nothing to put on, nothing to give his wife or family, there is no money for education.

This state of affairs cannot be prolonged. We should not be told by the Government that they are going to look into it, because it is a very urgent and important issue which should be settled.

I do not wish to speak at great length on this because it is self-explanatory. I think the immediate solution, coming back to the encouragement of local products, is that the Government, and the Opposition in this House, from now on should

embark on a campaign to promote locally produced goods, so that local industrialists will have a better chance of enlarging their firms. In that way they will be able to employ more of the unemployed, thereby solving the problem. I think at the same time it should be the policy of the Government that they should come out quite openly and declare that local industries in this country are going to be supported in every respect, financially and so on.

I do not think it is wrong to learn good things from our friends. I would like to quote the position as it was in India after their independence. I remember, coming across some writing where it was stated that the leaders, including Gandhi himself, advocated time and again that the people should be proud of their local products, and that by buying them they would be creating a demand whereby the industries would be brought into such a position that they would have to employ more because more people were buying the article produced. However, that is not the case here, Mr. Speaker. It appears that our people are suffering from an inferiority complex. They are of the opinion that an imported shirt or an imported pair of trousers is better than that which is locally tailored. I feel it should be the responsibility of the Government to discourage this inferiority complex among our people by coming out openly and telling them that locally produced articles are superior to those which are imported. If we have imported goods in this country it means that we are supplying jobs for people who live wherever the shirt or the tie comes from, while here we are faced with the problem of unemployment, which I feel we should fight by encouraging the people to buy more locally produced articles. This should be supported openly, even at public meetings. From now on, Mr. Speaker, Sir, I shall try to get shirts and other items which are locally produced advertised at my public meetings in order to get the interest of the people in what is produced locally, not in what is imported. This in itself will help in attracting investors, because if an investor can be assured that if he establishes an industry here it will be supported locally by the people he will definitely go ahead. I feel that this is a very important issue which should not be overlooked.

At this point I come to the second part of my Motion concerning the distribution of industries. It is apparent, Mr. Speaker, that the present Government is not taking into account very seriously—at least, not very seriously as far as I am concerned—the question of industries being established in Kenya. When you go into the question of where industries are established, you will find that most of them are established in

[Mr. Shikuku] or around Nairobi. There are some in Thika, some in the Nairobi industrial area, and some on the outskirts of Nairobi. I am not against the introduction of these industries in this area, but I feel there should be an equal distribution of industries. I am sure the Minister for Commerce and Industry will agree with me when I say that there are applications from industrialists who wish to establish industries in this country. It is the responsibility of the Government to tell these industrialists where these industries should be established. I feel, also, Mr. Speaker, that if we have these industries established equally throughout Kenya that will be a solution to the present influx of persons coming to Nairobi in great numbers. What I mean, Mr. Speaker, is that most people who seek employment do not think of going to any other place but come straight to Nairobi. As a result there is a rush for employment and I feel that if we could have equal distribution of the industries it would reduce the number of people who rush into Nairobi and they will be brought to realize that their own part of the country is just as good as Nairobi.

I would like to quote an example from my area which is the Butere Constituency. We grow a considerable quantity of sugar-cane. Unfortunately the growers were encouraged to produce a large quantity of sugar-cane, which they did; but they do not have a factory there to crush the sugar-cane and as a result the sugar-cane grows until it is old and in flower. This is an embarrassing situation because the owner who planted the sugar-cane thought that by planting this he would be able to market it and with the money pay his taxes, feed and clothe his family and even pay the children's school fees. I understand that the school fees have increased by at least Sh. 50. The people could be assisted in meeting all these various expenses if a sugar-cane factory was established in the area thus enabling employment on a large scale to be carried out. In this area there is only one local Asian who would like to help the people but he cannot do so because there is far too much sugar-cane to meet his requirements. So he is only able to give opportunities to certain people if they agree to the terms and conditions he lays down. If they do not agree they have to leave the sugar-cane to rot or else sell it at a cheaper rate.

I have tried to get the growers of the sugar-cane organized so that they could form themselves into a co-operative society whereby they would be able to raise some money probably with the intention of trying to get a machine which could be used to crush their sugar-cane.

I feel that the solution to this problem of unemployment and establishment of industries in Kenya is: (a) our locally produced products and (b) the interest should be divided so that the industries will be spread out. It is not advantageous to have many industries concentrated within a small space, or similar industries being established in the area, thus causing embarrassment to the pioneer. There should be restriction as far as licensing of industries is concerned.

If some person establishes a sugar-cane industry in Butere, let that be the only one there. It is of no use having several sugar-cane industries in a small place as this does not help solve the problem.

There is another matter on which I wish to make my views known to this Parliament. I do not like Communism. I hate it, but at the same time I believe that there is nothing in this world which is 100 per cent good or 100 per cent bad. We are tired of singing this song of unemployment; we are tired of telling the people that we shall shortly have the investors coming in and so forth; there must be a definite way of getting out of this problem of unemployment. I feel, Mr. Speaker—and I have read—that in socialist countries there is no unemployment. If it is so, and I know it is so, I think the time has come when the present Government has got to re-orientate itself to the present situation. I do not suggest that they have to become Communist or anything of the kind. I only want to suggest that it is time we looked into how these people in the socialist countries have managed to eliminate unemployment. We should get experts from the socialist countries to plan our economy so that there will be no further unemployment.

Unemployment is part of the capitalistic and imperialistic policy and I think it is high time we changed that policy. I am not ashamed to say this because I am interested in making sure that each and every man and woman in Kenya get something to eat. I am not only interested in seeing the welfare of us here when people all over the country are going hungry. My interest is to provide employment for the people and to stop telling them lies at public meetings. We go to these meetings and shout at the top of our voice: we tell the people of our love and anxiety for their welfare; we tell them what we are going to do for them. That is not enough, they do not heed our words. As a matter of fact they become frustrated with all we have to say to them.

We therefore need an expert from the socialist countries to plan the economy of our country so that there will be food and money for every

[Mr. Shikuku] man and woman. We have people who have become thieves and have even gone to the extent of murdering other people. They feel they have to do that because they are hungry and have no means of getting money. We now have this evil situation in Kenya where we get women running round from corner to corner. All we do is to denounce them. If we employed a Socialistic form of economy we could give employment to these women who are being kicked about and beaten up. The need does not need to be beaten, they need to be given food. Since the capitalistic and imperialistic systems of economy have failed it is time that the socialistic system of economy should be instituted in Kenya to provide employment for men and women throughout the country.

We are being told, Mr. Speaker, that we are going to have an African democracy but I am talking in terms of African socialism based on socialistic economy policies whereby Shikuku and everybody will have something to eat and not merely the people at the top.

Sometime ago when the Government said they were going to Moscow we felt encouraged because we thought they were going to get in touch with some people to find a market there for our products. This is wonderful because it shows that the Government is a progressive Government. They should go, therefore, and find an expert from one of the socialist countries, and if they fail to do so I am prepared in the name of Kenya to look for one.

I know some of the people will find what I have said distasteful because some of us have business connexions and every businessman likes to make 100 per cent profit. If that is the position we must realize that we come to the House as the poor man's vote and we should therefore consider that very seriously. Are we in this House because of the poor man's vote in order to exploit him?

I feel, Mr. Speaker, very strongly that this is a problem which must be solved once and for all. If the Government is a progressive Government this is a challenge to it to go ahead and look for a special in socialistic economy who will come and plan for Kenya. This will help the Government and the Opposition and we will find Kenya a very happy place.

With these few remarks, Mr. Speaker, Sir, I beg to move.

Mr. G. M. Matison: Mr. Speaker, Sir, I rise to second the Motion.

Today we have a Government which, in my opinion, is a progressive Government. I think that the unemployed workers of this country are looking with great expectation to see that at least they are relieved of their present troubles.

In Kenya we have certain crops which, after they are cultivated and harvested, are sent to places of which we are not aware. These products of Kenya, if properly used locally could better serve to eliminate this question of unemployment. For example, Mr. Speaker, we have tea, sisal, coffee, as well as hides and skins in Kenya today. If we look round this House, Mr. Speaker, we find that most of the hon. Members here are wearing imported shoes, for example, and they wear imported shirts, ties, coats; almost everything on their bodies is imported.

Mr. Speaker, Sir, I happen to have taken a trip to the so-called Communist countries. I have been to China and several other places and I have seen that maize stalks and millet is a product which can eliminate unemployment to a certain extent in this country, as I think it is highly produced here. In China, for the information of the House, Mr. Speaker, millet is produced and gives some oil, medicine and several other important things which are used for the benefit of the people of that country. With the stems as well they produce clothes.

The Mover of the Motion suggested that the Government should take a mission, if necessary, to the Communist countries to try and find out how they solved the question of unemployment. Mr. Speaker, here in Kenya today we are told that the present Government is a Socialist Government, which is looking to true socialism, and I think one of the most outstanding points of socialism is the equal distribution of wealth, which means that every person in the country enjoys at least equal opportunities, and that includes work, so that one can exist and can help himself or herself in every way.

Mr. Speaker, I hope the Government is not going to apply its usual tactics of opposing Motions from the Opposition simply because they are sponsored by the Opposition side. The Government would serve a very good purpose for the workers of this country if it told us that the present Government is prepared to go in for a very serious reconsideration of how industries could be spread throughout the country, so that the question of unemployment is eliminated.

For example, take the case of the Beta Shoe Company at Limuru. If that company were helped by the present Government I think it could employ very many workers. What happens is that a certain firm comes here in search of

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business and, because of its limited resources, finds that it cannot expand the business. Therefore, if the Government is interested in helping those firms which really are seeking to expand their trade, equally the workers of this country are going to benefit from it, because a large number of workers will be employed. I feel, Mr. Speaker, the Beta Shoe Company should be taken as an example and that the Kenya Government today should fully explore the possibilities to even giving grants to that company to enable it to extend its business in various parts of the country, because we do have quite a lot of hides and skins which, after our cattle are slaughtered here, are exported to foreign countries to benefit the workers of those countries.

I also believe that Kenya is a country which can grow a lot of cotton, and there are possibilities of the cotton crop being one of the major products of this country. If this as well could be fully made use of and the Government could take the initiative in approaching firms overseas which are interested in textile factories, I am quite certain that the workers of this country would benefit because everybody likes to wear clothes; there are ample opportunities for textile factories in Kenya today.

With these few remarks, Mr. Speaker, I beg to support the Motion.

(Question proposed)

The Minister for Commerce and Industry (Dr. Kioko): Mr. Speaker, Sir, I must say that the Government is very sympathetic to the sentiments which have been expressed both by the Mover and Second of the Motion. As a matter of fact, it was only during the latter part of the Mover's statement that he began going a little far afield, otherwise he made quite a good case.

I would like to point out a number of things that he raised and to indicate the Government's reaction to this Motion in the hope that there will be complete understanding in Parliament today. I hope, as was said by the Mover and Second, we shall not try to make cheap politics out of the suffering of our own people.

At the very outset, Sir, I should indicate that this Motion is the kind of Motion which could have been accepted by Government except for only one very small thing: that is, industries are established in this country not by Government exclusively. Some industries are established as joint ventures between Government and private enterprise, others by private enterprise, and whether the industry is established by private enterprise or as a joint venture between Govern-

ment and a private industry, the fact is that people will be employed. Unfortunately the Motion as it is worded now, restricts us only to a purely Government-established industry, and I think that is tying our hands too much. We should talk in terms of helping in the development of industries in and around Nairobi and throughout the country, so that whether it is an industry which is partly assisted by Government or a purely private one but directed by Government through various attractions to go to another place, this will give us a wider field of discussion rather than simply saying only Government-established industries. I am sure the Mover will understand if I say that that is a rather restrictive phrase, and I would like later to indicate how we could expand it to be more inclusive in our struggle, not only to increase industrialization in the country but to fight against unemployment.

Sir, I was glad to hear the Mover indicate that he is not implying that nothing has been done by Government; that was very generous of him and I am glad to note that he was aware that attempts are being made.

The Minister for Labour will later indicate some of the steps that the Government is taking and intends to continue taking directly in terms of unemployment relief. He has already prepared a preliminary paper in Cabinet and he is going on in this regard. I will leave that part to be clarified more by him, Government has already considered this question of unemployment as a very, very urgent issue and, as I say, the Minister for Labour has already actually taken the first step and plans directly centred on unemployment relief are being worked out now by Government.

Mr. Speaker, Sir, before I make my own proposals, let me just correct one or two things, not in criticism but, really as further explanation of the statements made.

I do not believe, Mr. Speaker, that there is one doctrine which is going to solve all the economic problems of all countries at all times. Therefore, although the Mover and the Second believe that all we have to do to solve unemployment is to bring to this country an expert from the Socialist countries, I would like to point out a number of facts. Not the so-called Socialist countries are happy about their economic situation. The prosperity you find, for example, in Czechoslovakia is not reflected in East Germany where there is a lot of unemployment. The rapid economic industrialization in the Soviet Union is not necessarily reflected in the Socialist Republic of China. Furthermore, this country of ours is very dependent on agriculture, and the Chairman of the Soviet Supreme Praesidium himself, Mr.

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Khrushchev, has indicated of late that they have been having difficulties with their own agricultural development programmes. Therefore, let us not assume that all is well in a country simply because it calls itself a Socialist country.

Furthermore, as the Mover very well knows—and I am not criticizing him, I am simply clarifying some points—I should point out that the word "Socialism" is one of the most misused words in modern political jargon, because whether you call it scientific or not, it is just like the word "democracy" which again is being misused of late, and it depends on the way one interprets it. If you go to France, for example, you find five or six different parties all calling themselves Socialist parties. If you go to Israel I think there are a dozen parties all saying they are Socialist.

Mr. Speaker, to avoid any disillusionment, I am sure the Mover knows that at present the Socialist thinkers of the Republic of China and the Socialist thinkers of the Soviet Union are at each others' throats because they disagree on the interpretation of Socialism.

Therefore, Mr. Speaker, I am saying that we should not simply say that our solution will come through inviting to this country somebody who calls himself a Socialist, because unfortunately even most Members in this House call themselves Socialists. On both sides of the House many Members call themselves Socialists.

Having cleared one of the points, Sir, let me also remind the Mover, before I make any definite reply to him, that the Government—and I know this from my Ministry specifically and other Ministries—has of late (and when I say of late I can actually produce from my files the exact dates) taken a leading part in encouraging the promotion of local industries campaign. This is an already accepted point of view by Government, and I hope not only by Government but, as the Mover said, by all leading personalities in the country. In fact, last year I also said that we must begin taking pride in the phrase "made in East Africa" instead of just "made in the State of New York" or "made in Bond Street, London". I think the time has come for us to do more than simply say that we support the idea. It is more important for us to begin doing it. So there the Mover and Government agree.

Mr. Speaker, Sir, I was visiting the blanket industry the other day in Nakuru and I was glad to learn that Government is ordering quite a number of blankets from that industry, instead of importing all its requirements from Europe.

Sir, if that is the case, I would make another point which is also important, that is, if it is

accepted that there is unemployment which is assuming alarming proportions, let us go beyond the feeling that Government will solve everything alone. In the first place, it is not a Government policy now to encourage the establishment of industries in Nairobi alone, it is not our policy. Our policy, as we have said before and I shall indicate this now, is to try and distribute them as far as possible, but we must keep one thing in mind: While the Government can try its best to encourage a man to invest in Nakuru or in Eldoret, or in Mombasa for that matter, if he is going to invest his own money, his own final decision is particularly important.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

If he says to me or my Ministry, "either I invest in Nairobi or I do not invest in Kenya at all", I would say "all right go ahead" because he is investing his own money. I am talking now about private industry, I am coming later to the other in which the Government participates. I have said that, because I have heard some rumours in this House, that there seems to be a tendency of preferring Nairobi and Thika, and I am glad this Motion was brought here today so I can clear a number of these points.

In the first place, Mr. Deputy Speaker, these rumours are based on the fact that it is true that Nairobi has more industries than any other part of Kenya, and frankly any other part of the entire East Africa, that is a fact. But, as I said earlier, these are not Government established industries, they are private investors who have preferred Nairobi. We have now decided to do our best to seek whatever attractions there could be to put a few of them out of Nairobi, that is, not to tell them to divest in Nairobi, but to tell the newcomer to go away from Nairobi. If he will agree. Therefore, for example, the paper and pulp industry which we are envisaging to be started here, we hope very much will be started in the western part of Kenya, and I say western part of Kenya. I did not say western region, neither did I give any particular town. I want this to be clarified, because we have to consider with the people who are investing the money what part they prefer, but I do hope it will not be in Nairobi, because most of the logs are in the western part of the country and we shall do our best to go to that part.

It is also well known that the sugar industries are at present primarily in Nyanza, again in Western Kenya, where there is more sugar. I do

[The Minister for Commerce and Industry] not think that there is any policy on our part to tell them to come to Nairobi. There is an additional industry in sugar which is coming, and it is coming to that area. I would also like the Member to know for the benefit of the House, that the Butere area the Industrial Development Corporation, particularly the section which deals with the development of African Industries, is thinking of in fact has already accepted the idea of setting up co-operative companies there to produce brown sugar, from the sugar-cane that is grown in the Butere area. It will not be very economical for the people of Butere to carry their sugar to Muhoroni where the machines are, so we are encouraging the people to industrialize at Butere. What we wish the Mover to know is not so much about the machines to grind the sugar-cane, what we want to know is what is being done with the juice. Is it made into Nubian Gin, or illicit Gin? We are talking about sugar industry and I think that brown sugar to start with is cheaper, but later if the scheme progresses, and the people want to go on, we can develop additional products. The point is we must begin to take steps. Incidentally, the Mover and I would find it most profitable if we got together and worked out some of the details and agreed the size of the project, so that it is already accepted.

Now we come to something else like the rayon industry which is being established in Mombasa. This news has already been in the Press and I hope the Mover knows that it was reported a week ago. Another factory was established in Mombasa about three years ago. The fact that some Japanese investors in collaboration with a local company have decided to invest in a rayon factory in Thika has made everybody's hair stand up. When we put industries in Muhoroni it is all right, and in Mombasa or Butere, but when we go to Thika they say "Ah, that is the Central Region". We must be fair to all parts of the country.

Coming to the question of cotton I was very glad to see the Secondor of the Motion referring to the fact that we can produce more cotton in the country. This is already accepted by the Government and, as a matter of fact, plans are there to grow more cotton in Kitui and elsewhere and along the River Tana, and I hope that the irrigation schemes which the United Nations funds are helping to survey will succeed. When these irrigation schemes prove successful, more cotton will grow in the area.

I am very glad to inform the Secondor of the Motion that in the last two days I have been approached by four separate industrialists

interested in cotton textile investment in the country. Having been approached by these people shows that there is interest in this line, and we hope that some decisions will be made. There is no need to be afraid that because the rayon textile industry will go to Thika everything will go to Thika as well. One should not have those feelings, but I did want to have that clarified because my predecessor in the Ministry was faced with a similar situation. There is no substitute for initiative as far as the Government is concerned. I say that, because, as the Mover said, we do not want this competition whereby a bigger person unseats or destroys the smaller person. Accepting that idea we must know there have been schemes to enable Africans also to have industries. The Industrial Development Corporation has employed a full-time officer, Mr. Beresford, whose work is to talk with the various African enterprisers, to see what kind of smaller industries they could start in their respective areas. This is where I say here is no substitute for initiative, because during my predecessor's period—and I am sure that my predecessor, the hon. Mr. Masinde Muliro, will not agree to being called a "pro-Kikuyu politician"—out of sixteen smaller industries which were approved for help by the Industrial Development Corporation, and wanted to be run by the Africans, twelve were in the Central Province and Nairobi.

We should not say that Government should do this or that, we must not forget that we must do things for ourselves, and go and explore what can be done.

I will give you the name of the officer who is employed specifically for this Home Industries Government Scheme, Mr. Beresford. His office is in the Queensway building, second floor.

This pattern is beginning to change. It is not that the Government has been favouring the Central Province, only that more people from there went for advice. This proportion is improving now.

We want to encourage more and more people to come out and give us ideas, we can then reject one and accept another.

I hope that has clarified this point that so particular areas are concerned in this development, but all areas.

The responsibility to a large extent lies upon those of us who call ourselves the leaders of our people. The Government must take the initiative, and when we do this on a co-operative basis I think we will be far better off than if we keep on saying the Government should be helping us.

[The Minister for Commerce and Industry]

We have already a French engineer sent to us by CCA, the Organization for Co-operation in Technical Aid for Africa, whose headquarters are in Lagos. This expert, Mr. Peter Aid, is now looking at various areas. He has been to Machakos where my hon. friend comes from.

He is preparing a report which I hope will be in my hands very soon.

Mr. Towett will, I think, get additional customers for home industries if he continues to wear his costume in this House. The prospects of such a market are, however, limited, I think.

Additionally we are getting a man from the Massachusetts Institute of Technology who will also be working in our Ministry, again on this problem of what industries where.

We are going to send a Trade Mission to the Eastern countries, the Soviet Bloc countries, in the very near future. The Soviets have not yet been fixed, but as soon as the arrangements have been made the people will be told. This is to seek an additional market for the items that we are not able to dispose of completely in our traditional markets, such as cotton, pineapples, and so on.

The secondor of this Motion said that we should increase our secondary industries in this country, and this is what we must do, and we are looking for additional ways to do this. It was insisted that if only the Government would take over industries like the Bata Shoe Company, these industries might be better. I hope the secondor realizes that if the Bata Shoe Company has limited resources, the Government also has limited resources.

Therefore, what the Government has decided to do is to work together with the Government of Germany, as the Economic Development Corporation, to set up this development finance company of Kenya which will work jointly with these private investors to increase the industry of the country.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Having explained why this amendment is particularly necessary to widen the scope of the Motion, I would simply amend it so that instead of saying "calls upon Government to establish industries, etc., etc.," it says that it "calls upon Government to help in the development of industries, not only in or around Kenya's capital, but throughout the country." It is only to substitute for "establish" the words "Help in the development of".

Mr. Speaker, Sir, I beg to move the amendment.

The Speaker (Mr. Slade). We have almost reached the time when we are due to move over from this debate to the other Motions on the Order Paper. We shall have to do that unless all the Movers of those three Motions are disposed to give us longer on this debate. I do not know whether Mr. Towett, Mr. Ndile and Mr. Ngei would prefer this debate to continue or to see their own Motions come forward.

Mr. Towett: We would like this debate to continue if it is not out of order.

Mr. Speaker: If it continues now it has to run for its remaining hour. Next Thursday the free-lance Motions will be brought forward again, if the hon. Members are prepared to have their Motions delayed.

Mr. Towett: One point, Sir, if these Motions are postponed will be guaranteed to be heard next Thursday?

The Speaker (Mr. Slade): I think we must guarantee that any hon. Member with a free-lance Motion who gives way today will be given priority in free-lance time next Thursday.

Mr. Towett: Very well, Sir, let us continue.

The Parliamentary Secretary to the Ministry of Finance and Economic Planning (Mr. Okello-Obongo): Mr. Speaker, Sir, I beg to second the amendment, and in doing so I would like to draw attention to the fact that while the Mover of the previous Motion talked about unemployment problems and also ways of solving this, he did not concentrate on what seemed to be the most important part of this Motion, namely the distribution of industries in the country. I am supporting the amendment by drawing attention to this problem which I believe has been coming up every now and again; of various people complaining that certain areas are being left out of industrial development.

Mr. Speaker, Sir, I am also glad to state that the hon. Minister for Commerce and Industry has stated that it is the Government's policy to have the industries spread all over the country if possible. I would like to tell the House that here we are dealing with an economic system and that it will take different courses on different occasions. Naturally as you have trees growing on part of the country and grass on another part of the country and so on, so you will find that in different industries will be developed in different parts. This happens in other countries. The industries develop according to the natural resources of the area.

[The Parliamentary Secretary for Finance and Economic Planning]

The system of regionalism in economic thinking is going to cause chaos in our industrial development, because this will cause duplication, and this will lead to waste. The people who loan us money will say that if there is to be duplication they will not finance these projects, and this will land us in a lot of problems.

This is a problem that we must realize and avoid the danger of duplication, and insisting that the different regions should have more or less the same thing. This is a problem which will continue as we go on an East African basis, especially if we are going to get aid from international bodies. These are not going to appreciate the fact that if an industry is started in Kenya that it should also be established in Uganda and Tanganyika. We will have to reach some kind of agreement that we do not have this kind of waste. The same thing applies to our economic development in Kenya. In this case I think that it is important that we have freedom to move anywhere in the country and we must get rid of all kinds of prejudices—tribal, sectional and other kinds. Otherwise we are going to run into trouble. We must be able to work where we like. We must be able to mobilize our resources so that we can make the optimum use of them. Along with this we must move the people who are concentrated in one area to another area to work. You cannot decide that since there is a certain industry at the Coast that it must be started in the Western Region. It is quite possible that that kind of industry would not do well there, and therefore this would involve a lot of economic waste to have this duplication. We shall have to free ourselves from all kinds of prejudices, it is only in this way that we shall receive aid and money from the Central Government or any international bodies.

Thank you, Mr. Speaker.

(Question of the first part of the amendment that the words proposed to be left out be left out proposed)

Mr. Ngeli: Mr. Speaker, Sir, I should like to say a few words on some of the things which have been said by the hon. Minister for Commerce and Industry in moving the amendment. He says that we are all human beings and all susceptible to all sorts of things. It is only natural then for human beings to think that if all benefits go to a particular area that area is being favoured. I do not want us to think that way in this House. One might think, Mr. Speaker, that there is some sort of prompting in the Back Benches of the Government when we hear the same remarks all the time.

We have heard enough about tribalism and individual prejudice and so on. I hope that the Government will refrain from bringing these things up over and over again. They must realize the Moral Rearmament principle that if you are levelling one accusing finger at somebody then there are likely to be three levelled at you. We can level three accusing fingers at the Government.

Two aspects now arise. If we are going to have industries sponsored by the Government, I think this is a good thing. I am going to quote a few instances to show why I say this: before an individual industrialist sets himself up in business he has to attend to many things because he realizes that if he does not do so he will lose. When he has a Government backing, then he can do something. Take for instance, when a processing machine was established in Machakos, where water is not so plentiful as in Nairobi or Thika. An industrialist has to think of this aspect. If the Government comes into help this man in his business—whether the Government merely says that it will do all it can to help him and to provide water for him, from Nairobi to Machakos, which will cost very little as it is not a very long way, or whether they give him financial aid—then he will really get ahead. I want to show you another instance. Suppose that the people in Central Province and around Machakos approach the Industrial Development Officer, Mr. Beresford; they know that because they are more alert and know what is going on, they will get more help, than the men of Turkana. How can a Turkana who lives in (?) approach him? The means and the facilities for setting up a small industry may exist but they do not realize this. It seems to me that the Members are too occupied with their Parliamentary work rather with the individual industries. Let us say that we have a small Turkana industry in fishing. The Turkana can enjoy this industry because there are a lot of fish in Lake Rudolph. There are a lot of crocodiles which provide hides and skins. This is a prime example of the fact that if the Government takes the initiative to encourage some of these small industries like those of the Turkana, then we can call the Government a progressive Government. If they cannot do that then we can still point the accusing finger at them.

..... (Inaudible)
..... in a place where the geographical factors are very favourable to a small industry as, for instance, Kitui and Machakos. Sisal is grown here and it produces the best leaf.

..... (Inaudible)
..... a mere Sh. 2,000, which some Members spend on globe-trotting to all parts of the world.

[Mr. Ngeli]

Tobacco is also grown in Kitui. The Government does not encourage in any way the East African Tobacco Company. They do not provide them with machines or with money to buy the curing equipment. If you go to Kitui today you will see that the Wakamba down there build their own machinery. I know that the Government could do quite a lot to help the growth of tobacco. We want Kenya-produced cigarettes and not imported brands like the "Senior Service." What I am trying to say is that if the Government can help these small planters and farmers it would be a very good thing.

We also have a mining industry somewhere around Kiwēzi. The Minister for Commerce and Industry should know about this. This is the only industry that makes this kind of fertilizer. But we are told by the Minister that the fertilizers from Germany are better. So, the Government refuses to encourage this industry.

I am asking the Minister for Commerce and Industry to consider these small industries before he embarks on big industrial ventures. Thank you very much, Mr. Speaker.

Mr. Anyien: Mr. Speaker, I may have to repeat myself about the distribution of industries around the whole of the country and not just in the towns. I hope that the Minister for Commerce and Industry—I do not know whether he will be called upon to reply after having moved the amendment—will give a guarantee that the people in the remote parts of the country will be given a chance to set up their own industries. When we talk on this question we are considering not only those areas which have the raw materials but do not have a factory, but also those areas which have the raw materials where an industry could be usefully set up. I am remembering the Kisii area which is now being encouraged to plant tea. But tea is only to be planted in the whole district after a factory has been built. The few people who grow tea at the present time take their tea to factories owned by the European settlers. If the African independent country is going to rely on the factories of the settlers who are intending to move from the country, then I think that in the long run we are going to find ourselves in trouble—I would like to have an assurance from the Minister that the next time there is money available to develop the country that he will think of the Kisii people and their need for tea factories. I think that it is in the best interests of this country that if the Africans are going to grow tea then they must own their factories and build them with the help of the African Government.

Mr. Speaker, Sir, we also grow coffee, not only in Kisii but in other places in Kenya, but then we have to undertake the transport of all this coffee to Nairobi. In the end it is the farmer who has to meet the expense of transporting coffee to Nairobi where it can be processed.

Mr. Speaker, Sir, there is also pyrethrum. Since we grow it, we should not have to transport it to Nairobi to have it processed, because although around Nairobi is one of the areas where pyrethrum is grown, there should still be factories outside to help the people.

I would also like to refer, Sir, to the distribution of factories. When we think of the distribution of industries, we should remember employment in this country. The people who have the chance of getting jobs in this country are those who are able to come to Nairobi. We cannot expect everyone to move from the country and come to Nairobi so that they can look for a job. For that reason we demand that there should be a fair distribution of jobs. When I say that I mean that the jobs which are available in the City should be advertised. Mr. Speaker, Sir, I had information from a friend the other day, and I have it here, that the Prison Department took people of certain qualifications for training. These jobs were not advertised. I have had further information today that East African Railways and Harbours have been taking people for training. These training facilities have not been advertised. We have some non-usage going on in the radio at times. Why could we not cut off some of that non-usage so that these jobs could be advertised, in order to give equal opportunities to everyone in the country to secure employment. In that respect, everyone will try to get a radio to hear when next there is a job in Nairobi.

Mr. Speaker, Sir, with regard to the distribution of industry, I also want to talk about roads. We find that some areas have really good, improved roads. We want roads going into district headquarters so that Members and all vehicle owners can drive from here to their own districts and even their own houses on macadamized roads. Next time there is money available, I would like the hon. Minister to think of the remote areas of this country, not only Kisii, but all other remote areas where the majority of Members sitting on both sides of the House come from.

Mr. Speaker, Sir, still in connection with the distribution of industries, Kisii is a very productive area, and we would like a railway line to be constructed from Kedowa to Kisii. I do not think

[Mr. Anylen]

Government would lose by doing this because they would be able to carry tea and pyrethrum before there is a factory and even after.

I would also, in this regard, like to mention the question of transport. It seems that on the roads this country is going to rely solely on the Overseas Touring Company, and if the Overseas Touring Company decided to close down today, some people would not be able to travel. Mr. Speaker, Sir, I would like to urge my Minister to encourage African transporters to participate in this field.

The Speaker (Mr. Slade): You must keep to the development of industries, Mr. Anylen.

Mr. Anylen: I am dealing with the distribution, Sir. I am talking about the—

The Speaker (Mr. Slade): Passenger traffic has not much to do with that. You are talking about buses and passenger traffic. It is not relevant to the question of distribution of industries. Keep to the development of industries.

Mr. Anylen: Thank you very much, Mr. Speaker, for putting me right.

As I see there are only a few minutes before the closure, I will finish with those few remarks.

The Speaker (Mr. Slade): Before calling on any other Member, I have to acknowledge that I have allowed the order of this debate to get into some confusion. We are at the moment considering an amendment. Our Standing Orders provide that discussion in the debate on an amendment is limited to the actual amendment, the proposed alteration of certain words, unless the Speaker rules that it cannot conveniently be separated from the main Motion. In this case, unlike many other cases, I think that it is much better to discuss the amendment by itself and get rid of it, so I have been wrong really in allowing two hon. Members to speak generally to the whole Motion. I think from now on until we have disposed of the amendment, we shall only discuss, in accordance with Standing Orders, the alteration of these particular words. When we are doing that, hon. Members who have spoken already may speak again—if they spoke before the amendment was proposed—to this particular amendment, including the Mover, as to whether they like this amendment or not; or other hon. Members who speak to the amendment—just the very narrow issue as to whether these words should be altered—can speak again after we have disposed of the amendment.

Mr. Ndile, you want to speak to this amendment?

Mr. Ndile: Yes, Sir.

The Speaker (Mr. Slade): You understand the limitation?

Mr. Ndile: Yes, I understand the limitation.

Mr. Speaker, Sir, I think it is fair that we should explain our feelings about the question of distributing industries in Kenya.

The Speaker (Mr. Slade): I think you have missed the point already. What we are discussing now is whether we substitute the words "to help in the development of", for the words "to establish". What we are discussing now is an amendment. Shall we take away the words "to establish", and put in their place the words "to help in the development of"? That is all we are discussing now. When we have decided that, it is still open for anyone to discuss the main Motion, including the question of distribution.

Mr. Shikuku, you want to speak on the amendment?

Mr. Shikuku: Yes, Sir. I appreciate very much the way the hon. Minister for Commerce and Industry expressed his feelings and I am very glad that they have agreed in most cases to accept the points in this Motion. Here—

Mr. Ngala-Aboki: On a point of order, the hon. Member speaking was the Mover of this Motion and I think he will be having a chance to reply in which case he will be able to talk as he wishes. Should he not allow another Member who has not taken part in this debate to speak?

The Speaker (Mr. Slade): No, Mr. Ngala-Aboki. I said that in cases where we have to discuss the amendment separately, anyone who has spoken before the amendment was proposed can speak on the narrow question of the amendment, and it is very desirable for hon. Members to hear whether the Mover agrees with the amendment. That is what he is talking about now.

Mr. Shikuku: That is what I am doing, if only the hon. Member had listened—

Mr. Kiprotich: On a point of order, Mr. Speaker, in view of the shortage of time, and since the Mover will have time to reply to the Motion, can he dot give us more time to speak on the amendment?

The Speaker (Mr. Slade): Mr. Shikuku, you should be as brief as possible. You will have a chance to reply, but state now your attitude to this amendment.

Mr. Shikuku: My attitude is that I have agreed all along with the Minister on this amendment to substitute for the words, "to establish", the

[Mr. Shikuku]

words "to help the development of not only in or round Kenya's capital". The Motion seeks to establish industries because I know to a certain extent the Government has an influence over the people. I am not very serious about this amendment, but would it be in order, Mr. Speaker, if I made an amendment to this amendment?

The Speaker (Mr. Slade): Yes, you can move an amendment to the amendment.

Mr. Shikuku: Thank you very much, Mr. Speaker. I think if the hon. Minister will agree with me, it should be—

The Speaker (Mr. Slade): But I shall have to have it in writing. Do you really want to move it? You have not very long, you know.

Mr. Shikuku: It is only a question of this word or two. Will you give me time to add this word or two?

The Speaker (Mr. Slade): No, there is not time. If you do not have it in writing, you will have to leave it alone.

Mr. Shikuku: That is all right. I will leave it, and I accept the amendment.

The Speaker (Mr. Slade): Does any other hon. Member want to speak on the amendment?

Mr. Kiprotich: Yes, I would just like to speak in support of it, Mr. Speaker. In supporting it—

The Speaker (Mr. Slade): There is no need to support it further when the Mover has accepted it. If no other hon. Member wishes to speak on the amendment, I will put the question of the amendment.

(The question of the first part of the amendment that the words proposed to be left out be left out—put and carried)

(Question of the second part of the amendment that the words proposed to be inserted be inserted proposed)

(The question of the second part of the amendment that the words proposed to be inserted be inserted put and carried)

(Motion, as amended, proposed)

Mr. Kiprotich: Thank you very much, Mr. Speaker. I am a new Member in this House, Mr. Speaker, and I support the amendment and have a few remarks to make.

The Speaker (Mr. Slade): You do not have to support the amendment. That has been carried. Speak now to the amended Motion.

Mr. Kiprotich: I support the amended Motion, Mr. Speaker. I am sorry! Thank you for the correction. As I am a new Member, I have some misapprehensions.

I would like to urge the Minister for Commerce and Industry to see that this goes on, that it is not a matter of waiting for days, months and years. We should like this to be established straightaway rather than waiting. If anyone from outside wants to establish industry in Kenya, the Minister for Commerce and Industry should be interested in all of Kenya, and not only in putting up buildings in Nairobi. I am urging him to put industry everywhere, not in Nairobi or Kiambu only. It should be throughout all Kenya, not only in Nairobi. I know of a man who wanted to see some of the Ministers in front, some of whom are not present. He wanted to see them in order to put to them the idea of a battery factory in Kenya. That gentleman wanted to see any of the Ministers. I do not know whether any hon. Members of this House met him or not, or if the Minister for Commerce and Industry met him, and if he did not meet him, I am prepared to give the Minister his address so that he can write to him and tell him to establish this industry somewhere else, not in Nairobi. Again, there is a shoe factory here in Nairobi, Mr. Speaker, which was started recently. Whether somebody was talking about it or not, I do not know, but I should like the shoe factory in Nairobi to be moved elsewhere. It should not be left here so that everyone comes to Nairobi asking for employment, asking for everything. Why is it not put in other towns? We on this side here are supporting the Government and do not oppose this; it is only the question of them coming to Nairobi. We should like these industries to be put out in the country in order to see that no majimbo territory need ever complain that we are not doing anything for the people. If the Minister for Commerce and Industry invites some of the Germans or Jews from Israel to build their industries in Kenya, that means only in Nairobi and not in the country. But I am asking him to place industries throughout the country. I am urging him to see that everything, all the industries in Kenya, are established all over the country, in all the small towns. We do not mind how big it is, but even put it in the bush or the forest! I come from Mandi, I was born there, and we have good timber there. Why not put an industry there, somebody could make timber there? Why is the industry only around Nairobi or Timbaroa? These industries, Mr. Speaker, must be distributed equally all over the country.

(Mr. Kiprotich)

With these few remarks, Mr. Speaker, I beg to support the Motion.

Mr. Njile: Mr. Speaker, Sir, I think we must really analyse this idea of developing industries in a uniform manner in Kenya. What really disturbs us, and I think it disturbs the whole House, is to see that some areas like the Central Province have had every opportunity of getting more industries. I think this has arisen from the fact that the Central Province, more than any other part of Kenya, has been in contact with the Western European culture and that is why they have been able to enlarge their way of life and are more conscious of business than any other people in Kenya. Hence the people in the Central Province have had great experience about the ways of the white settlers who have taught them how to carry on businesses. Consequently we find that most of the industries are centralized in the Central Province.

However, I think that in the future it will not be fair for the Minister for Commerce and Industry, who comes from Central Province, to work out the plans for establishing industries all over Kenya by himself, because he will be influenced by the fact that in the past many industries have been established in the Central Province; that may serve as a good ground for experimenting with new industries. What we really need is a well-planned economy.

We have to realize that an industry depends upon two factors. The first is natural resources. That is the determining factor. It induces industry to start up. For example, we know that the cement industry in Mombasa or Athi River has been placed there because of the convenience of getting the material you need, sand, otherwise it could have been established elsewhere. We must, therefore, have a well-planned system or a well-planned way of distributing industries uniformly throughout Kenya with a view to securing sufficient employment for the people.

I know that at the Coast we could have an industry for mangoes; in Masailand we could develop the ranching industry because the Masai keep a lot of cattle; in Ukambani we could establish a mining industry because the district is rich in minerals; similarly, around Kisumu, we could have a fishing industry, because there is a vast quantity of fish in Lake Victoria. Hence, it would be wise if we could have a planning committee—the Minister should not plan these things alone—with the representatives from various parts of the country so that things could be planned for the benefit of the whole country.

I would like to make another important point. We have been complaining that because the Minister for Commerce and Industry happens to be a man from Central Province he has been favouring his people.

The Minister for Commerce and Industry (Dr. Kioko): On a point of order, Mr. Speaker. Can he substantiate that particular allegation?

The Speaker (Mr. Slade): That is the sort of thing that is not right at all, that is imputing a very wrong motive to a Minister. There is no question of substantiation. Please do not say such things again.

Mr. Njile: Mr. Speaker, Sir, I beg to withdraw. I did not mean to make an allegation against the Minister, but the fact remains that, because many people have the opportunity of seeing him at his office, it is natural that they should actually get first information on certain matters.

It is right, therefore, that everybody, even if it be the Minister, should have a very wide outlook to try to develop Kenya as a whole; not to develop certain areas at the expense of others.

With these few remarks, Mr. Speaker, I beg to support the Motion.

The Speaker (Mr. Slade): I see actually that it is just time for me to call on the Mover to reply. I can allow longer with the leave of the House if no hon. Member objects. If it is the will of the House I can allow another half an hour, but I want it made quite clear that no hon. Member objects to our continuing longer.

The Minister for Labour and Social Services (Mr. Mwendwa): On a point of order, Mr. Speaker. There are some points which have actually been made by the Opposition and I, as the Minister for Labour, should, I think, be given an opportunity to speak on behalf of the Government because I would like to correct some of the points which went directly against the Government.

The Speaker (Mr. Slade): I very much regret Mr. Mwendwa's that, when the House has resolved on limitation of debate to a certain time, we are all bound by that resolution unless we have leave of the House to disregard it. The leave of the House means no one objecting, and as Mr. Seroney has objected, 'we do not have leave of the House. We are therefore bound by the two-hour limitation. It is very unfortunate that you have not been heard in time, but perhaps you missed an earlier opportunity. We must now, I am afraid, call on the Mover to reply.

Mr. Shikuku: Thank you, Mr. Speaker.

I must, Sir, first of all congratulate the Minister for Commerce and Industry for his explanation of some of the points I did not quite understand and, above all, for facing the facts as they are and with the view of trying to find a solution to them. This is indeed a wonderful occasion and I must congratulate the Minister; and I feel that if all the Ministers could pursue that sort of attitude I think we could get somewhere.

Although I thought of raising an amendment to the amendment I now feel that even this work of helping the development of industries not only in and around Kenya but throughout the whole country is quite acceptable to me. However, may I go on to touch on some of the points that have been raised by the Minister.

It is very interesting that for the first time, Mr. Speaker, hon. Members on the Government side and on this side of the House, have contributed exceedingly well to this debate and have actually agreed with me in their speeches. I am very happy indeed. I would, however, like to disagree with the Minister when he quotes me on this aspect of Socialistic economy which should be applied to the country so that it could assist all men and women in obtaining employment.

The Minister went to the extent of referring to places like Czechoslovakia, Russia and other socialist countries and said that the people were not happy in those places. When I referred to socialist countries I was not referring to places like China, Russia, Czechoslovakia or any other such country being happy. I was merely referring to the position there is that in these socialist countries there is no unemployment. It would have been a good thing if the Minister could have compared the number of unemployed people here with the number of unemployed in any one of the countries mentioned. We should therefore endeavour to adopt some way whereby we could eliminate unemployment.

When the Minister talks of the delegation to Moscow and other socialist countries I think we should endeavour to seek suggestions from those places whereby we could assist the man in the street and help the people in obtaining jobs so that they could be assured of a secure position and means of living. I still insist, Mr. Speaker, that while on this mission it should be the prior consideration of the delegation to obtain an expert who will come out to our country and assist us in planning our economy, not only for Kenya, but for the whole East African Federation which is composed of Tanganyika, Uganda and Kenya. This will not mean that we are Communists but only that we are trying to adopt the

good things in the Communist countries just as we are prepared to follow the good things from the Western countries. In all this we must remember that we do not want a few people enjoying at the cost of the masses.

When it comes to the question of a joint venture as the Minister says or when the investors want to establish industries in this country, it is the duty of the Government to advise the investors who want to establish industries to convince them where it is best and most beneficial to do so. If, for example, somebody came from Germany he would not know what was the best place in which to establish an industry and he would obviously get in touch with the Government to advise him; and this would be the time when the Government could assist in seeing that the country and the people would benefit from this venture and obtain some means of employment.

At the same time—as someone mentioned here—we are not going to establish industries just because a certain area demanded it. I do not think that we are so foolish to bring a Motion that if we have an industry in Thika then we should have it in Butera as well.

An hon. Member: That is what you said.

Mr. Shikuku: I did not say that. If you think that I said that then it is your English that is at fault. When I talked about the distribution of industry, what I meant was that if a certain area had particular raw materials then an industry should be established there, and not necessarily around Nairobi. The hon. Minister mentioned something about the factory for brown sugar which has been put up at Butera. I am grateful that he let us know this fact. I have learned something new. This shows progress in that area. Unfortunately, I am also told that this brown sugar is also being used to make Nubian Gin. We should not encourage the people to develop this.

The Speaker (Mr. Slade): You are beginning to encroach on another debate of which notice has been given.

Mr. Shikuku: Why I mentioned this, Mr. Speaker, was because I am trying to teach my people how to build themselves into reasonable people and to make themselves rich. But I do not think that drink makes good people, and I am trying to discourage them from excessive drinking which is being encouraged by this sugar industry at Butera. I think that I ought to speak to the Minister so that we could change the brown sugar to white sugar, so that it is not so bad. I am glad

[Mr. Shikuku]

that the Minister also mentioned that it was not the Government intention to establish industries just in and around Nairobi. But I would like to point out to the Minister that the areas he mentioned as going to be set up industrially were all highly developed areas, and I think it should be the intention of the Government to develop the areas which are not so developed, so as to make them more attractive. If I told someone to come to Kakamega to establish an industry—and I have told one—the first thing he would ask me is whether there was electricity there. Naturally, the electricity is around Nairobi and so they come to Nairobi. If the Government could make it their policy to try and develop other areas—and to make sure that electricity is brought to other parts of Kenya—this would help to encourage the industrialists, as most of these industrialists require electricity.

Therefore I think the Government would only be acting in the interests of the country to establish electricity, particularly in the main towns of Kakamega, Bungoma and Homa Bay, so that we can attract industries. I am very glad, Mr. Speaker, that this Motion has been wonderfully supported in this House by both sides, without prejudice.

I think it is time that the hon. Members on the other side of the House should know that when they stand up to speak we are not going to tolerate being referred to as tribalists.

I could myself call this Government a tribalist Government especially when it comes to a question of the Ministerial posts.

I should warn the hon. Members on the opposite side to refrain from such remarks on these important issues like unemployment and the establishment of industries in Kenya.

With these few remarks, Mr. Speaker, Sir, I beg to thank the Minister for this efficient reply and his co-operation, and the hon. Members on the other side for their contribution to this Motion, and hope that the Government will start action immediately as unemployment is an acute and grave problem in this country.

I hope that when they send the delegation to Russia they will not forget to get an expert to help us provide employment for our people. I should like to be included in that mission so that I can get in touch with one. Mr. Speaker, Sir, I beg to move.

(The question of the Motion as amended was put and carried.)

Resolved accordingly.—

THAT this House being aware of the great unemployment throughout the country and the immediate need to provide employment, calls upon the Government to help in the development of industries not only in or round Kenya's capital, but throughout the country.

MOTION OFFICIAL DRESS OF MEMBERS

Mr. Towett: Mr. Speaker, Sir, I beg to move—

Mr. Alexander: Mr. Speaker, Sir, on a point of order, I think that the hon. Member has his trousers on, is that his tribal dress? And is that in order?

The Speaker (Mr. Slade): The hon. Member is in order so far.

Mr. Gichoya: Mr. Speaker, Sir, is it in order for Members to come to this honourable place half-naked?

The Speaker (Mr. Slade): He is not at the moment improperly dressed, though it may be that as a result of his Motion his dress will become out of order.

Mr. Towett: Mr. Speaker, Sir, I beg to move—

THAT this House being aware of the innumerable tribal dresses and oddities, and being concerned about the lack of a uniform official dress that could be adopted by the Members of this House, urges the Government to set up a Dress Committee to recommend the design and form of an official dress to be worn by the Members of this House.

Mr. Speaker, Sir, I think that this demonstration has been necessary in that already the hon. Members are beginning to wonder what I am going to say and they are beginning to be worried because I am not conforming to the norm of the House. It is this uniformity, Sir, which I am seeking in moving this Motion. I feel that it is very important that hon. Members should appear uniformly dressed to show respect to this House.

When we come here in our different tribal dresses it does not show the world that we are a responsible group of people to lead our country. On the first day when the Members came together for the first time there were many different types of dress but the hon. Members are now learning to dress more discreetly.

When we are in our home locations we like to wear our traditional dress. It is this problem

[Mr. Towett]

of traditional dress that is worrying almost everybody today, not only in Kenya but in the whole of Africa. The traditional dresses in Africa are as varied as there are tribes in Africa.

Before the European and Asian influence in some hot climates the people were semi-naked, and I was surprised to hear from an hon. Member who comes from one of these climatic areas that I was semi-naked, Sir.

We do not want semi-nakedness to be counted as a traditional dress. In some places it is a traditional dress to be naked. We do not want that form of traditional dress here.

I am asking this Government, and I know the Government is going to be serious about it, to set up a committee to look into this.

Some of us are from time to time embarrassed within Parliament Buildings when people come in without proper dress. They appear perhaps in traditional dress, but we want to know exactly what we mean by traditional dress. When a man is wearing a blanket, is that traditional dress? When a man is wearing a sheet, is that traditional dress? Is the skin traditional dress? I am wearing these sheepskins because I wanted to demonstrate to the people here that this is not a traditional dress.

Some of the people who visit the hon. Members are dressed in sheepskins, but some, I think, may be bad sheep.

We must define exactly what is traditional dress. Everywhere in Africa they are trying to evolve an African dress.

Some people come in Arab dress, some in Asian dress: how do we define true traditional dress?

I am quite aware that we cannot ask this Government to legislate on what the people should put on, but what we want is a definition of what constitutes proper dress for Parliament Buildings.

I do not know what Ministry is concerned with this problem, but I have a feeling, Sir, that this comes within the Ministry of the Prime Minister. I want a committee to be set up to consider this problem, an *ad hoc* committee, consisting of Members from both sides of the House. We need to evolve an African style of dress suitable to be worn in the House, something that could be worn on our Uhuru day on 12th December.

Mr. Speaker, Sir, I do not want to say a lot, but I do want to stress the importance of a uniform dress for us. I do not want us to look like school boys, white appearance black appear-

ance, but no uniformity in colour, but uniformity in pattern of dress, so that we know exactly what we are going to do. I know if the Members are nicely dressed, visitors and guests will try and copy them. They will come here and entertain them happily and carefully, Sir, with these very few preliminary points I would like to move the Motion.

The Speaker (Mr. Slade): Before calling on the Member, I must deal with a point of order which arises from the Member's speech and from the terms of the Motion, which urges the Government to set up a dress committee to recommend designs for an official dress. There is no question of which is the proper department of Government. Quote clearly we are discussing a dress to be worn by Members of this House exclusively. If this is a dress which is to be worn by Members of this House it is no concern of Government at all, but entirely the concern of Members of this House and the only committee which could possibly be appointed to decide that is a Select Committee of this House and not a Government committee at all. I think the answer, if hon. Members favour the general idea of a committee, will be to amend the Motion to provide for a Select Committee of this House. It would not take many words to do it.

Mr. Seroney seconded.

(Question proposed.)

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, Sir, I am very glad indeed to speak on this Motion, and I must say from the beginning that I have no sympathy whatsoever with the sentiments expressed by the Mover of this Motion. I can see his problem, I can see he is a man who likes order, who wants to see uniformity everywhere and I can see that this might have certain merits in certain situations. In fact he might be happy to know that in various progressive societies in this country there are already many experiments being carried out particularly for the women and these dresses, no doubt, will become fashionable and we will be very happy to see lots of them during the celebrations for Uhuru. But he wants a uniform official dress, and two, he wants us to agree that this official dress is to be worn by the Members of this House. Mr. Speaker, Sir, I would like to ask Members to imagine a day when we would all walk in here in a certain sort of uniform, like Salvation Army singers: it would be disastrous and would look terrible. This House would be poorer if we could not see the Leader of the Opposition in his usual dress with his

[The Parliamentary Secretary to the Treasury] beaded cap, the beads unfortunately are falling off now. The Minister for Home Affairs, whom I understand donated that cap to the Leader of the Opposition might consider giving him a new one, to keep in fashion with the new sort of cap which you see on the Front Benches of this side.

Mr. Speaker, Sir, I would like us to be quite clear, we could not possibly legislate on what the Members of this House wear. Even if we passed a regulation here; it would create an impossible position, where the Whips or Sergeant-at-Arms had to check what everyone was wearing. If this Motion were passed, then the hon. Movers of this Motion would not have been allowed to enter this House in this dress he is wearing today. What is perhaps more it would be infringing on the basic freedom of the individual. After all there is the basic freedom of choice which is a fundamental freedom. Mr. Speaker Sir, that a Member should be free to choose and wear what he thinks suits him.

Mr. Alexander: Or wear nothing!

The Parliamentary Secretary to the Treasury (Mr. Kibaki):—Or wear nothing yes, this is an important freedom of the individual and I would say if we passed this Motion in these terms it would amount to infringing this specific freedom, and we would be starting a chain of events where next time we shall be passing a Motion to set up a Select Committee to decide whom we should marry. That would be impossible.

So, Mr. Speaker, Sir, I think the trend of thought of the hon. Member for Buret should be arrested early, because in the new Kenya—as has been expressed time and again—the Government wants to encourage the maximum amount of personal freedom and personal expression. Each individual should have freedom to do what he wants. I think, Mr. Speaker, what is called for here is that in one of our Ministries—probably the Ministry of Social Services is where these matters come in—we should ask the Minister in charge to encourage the efforts of individual or private organizations which are now doing a lot of experimenting on the type of dresses which are suitable. If we encourage them, unofficially that is, what is bound to happen is that we shall have lots of dresses and we shall have comparison. It will then be possible for the usual freedom of choice to be exercised by men and women, and that particular dress which suits the taste of the individual will be adopted.

Another thing is this, Mr. Speaker. Suppose we were to pass this Motion and agreed on a dress for this House. Who knows, when the hon. Mem-

ber for Buret has retired, as he threatens to, and has become a director of co-operatives, the Member who will be elected in that area may be a man of different tastes. Then he will come into this House and be forced to wear what is decided on by the old House. This would be an intolerable position. Mr. Speaker, to legislate what should be worn in the future merely because we happen to be a group of people with certain tastes would be a terrible thing to do.

Mr. Speaker, Sir, I would urge that this Motion be rejected, and that instead we ask the Minister for Social Services to encourage the private efforts which are being made by various organizations to evolve the idea of a national dress. However, in expressing that sentiment, we must make it quite clear that there will be no circumstances in which the Government or anyone else in this country will be allowed to tell people what they should wear.

With those few words, Mr. Speaker, Sir, I would finish by advising my hon. friend that next time he comes here he should, perhaps, choose a national dress as he chooses to call it which is in the words of his Motion, a tribal dress and what is worse, a tribal oddity.

Mr. Ngel: Although, Mr. Speaker, Sir, I quite agree with what the Parliamentary Secretary to the Treasury thinks, I would only be very hesitant in supporting this Motion which favours uniformity, because I do not think even Mr. Speaker would be able to recognize us, nor know where we are.

There is one point I would like to make, Mr. Speaker. The Members opposite have been saying quite a lot of things about trends, and I think it was reflected very vividly here on the occasion of the opening of this House. Some of the Members came in tribal dresses and oddities, if I might say so. I thought that was a direct encouragement of tribalism. When an hon. Member comes here in tribal dress—I think you must accept the truth of this, whether you like it or not—he automatically increases the popularity of his constituency. This is why most of the Members feel that if they come here in tribal oddity it is quite a thing because in the balcony he has some of his constituency members, of his tribe and they will all feel part of a tribe. They will have a tribal tribe. If I may say so, I think there is some sense in this Motion. If we are to bring the sense of nationality to this House, there must be a certain amount of agreement as to dress. I am not suggesting a uniform. I would not like to be treated like a Kindergarten school child, and wear a

(The Debate continues)

[Mr. Ngel] uniform. Each wants to have his own choice. In order to avoid monotony by having one blue or one red dress or funny caps as we see sometimes on the opposite side, I think that we should be left to choose our own. If these things are removed then I shall have no objection because we shall be proud that the Parliament and the National Assembly has designed a uniform of which we can be proud. Thank you.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Odero-Jowi): Mr. Speaker, Sir, this Motion is a kind of Motion which it is difficult for this Government to accept. All of us are against tribal uniform so I suppose a uniform for Members of this House. As a matter of fact it would be revolting to our sense of ethics to be reduced to wearing uniforms in this House. Mr. Speaker, Sir, the Mover of the Motion said that it would make Members appear honourable if they were dressed in uniform. I have been made to understand that the Mover of the Motion is a philosopher. From a technical point of view I would like to inform him that appearing or not appearing honourable is a mental state. The fact that a certain man is wearing a certain type of dress does not change his mental attitude. It would be very difficult to constitute such a Committee, Mr. Speaker, because there are as many standards of dress and as many different tastes as there are individuals in this House. How would we choose Members of that Committee? Would we choose them on the basis of their knowledge of dress or would we choose them for their affinity for certain type of oddities? What standards should we use? Mr. Speaker, Sir, I find it very difficult to accept the Motion.

Therefore, I oppose it entirely. Thank you.

Mr. Githony: Mr. Speaker, Sir, I think that I have to thank both the original Mover of the Motion and the Member who has suggested an amendment. We are honourable Members. We were elected from areas where some people are naked. Even if we were to go naked in the

National Assembly, I would say that it was a credit. I say this because we do not come here to be different from what we normally are. We come here to decide the destiny of those people who are naked, and to think of ways to clothe them. I would not like to be in the armed forces where, perhaps, my Prime Minister would be the general. He would put on a distinguished dress to mark him out from the normal Member of the House of Representatives. Although the Leader of the Opposition comes in that special cap, I do not take him to be a special man, but I take it as a characteristic of the dress of the voters of his own constituency. If this is not so, then he probably wears it to add more dignity to his person. I think this House should try to think of something indigenous that we could all use during the Uthuru day, 12th December, 1963, so that we can remember Uthuru.

We are here trying to form a nation, but so far we have not formed it because we do not have a sovereign state yet. Some Members might ask what has that to do with the question of dress. It is only after 12th December that we can talk in terms of a national dress because then we will have formed a nation. I think that before that time we should think in terms of planning our economic development, for our social unity and for our political advancement. If we are thinking of these things then the question of dress would not bother our heads. If any hon. Member feels that he would be more honourable if he came naked, then he should be credited for this.

I say that there is no need for a national dress before Uthuru which is coming on 12th December.

ADJOURNMENT

The Speaker (Mr. Slade): Order. It is now the time for the interruption of business. I therefore adjourn the House until tomorrow, Friday, 19th July, 1963.

The House rose at thirty minutes past six o'clock.

Friday, 19th July, 1963

The House met at Nine o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

RESPONSIBILITY FOR ANSWERS TO
SUPPLEMENTARY QUESTIONS

The Speaker (Mr. Slade): Hon. Members, last Wednesday Col. McKenzie raised a point of order with regard to answering supplementary questions: namely whether supplementary questions cannot ever be answered by a Member of the Government other than he who has answered the original question.

It has, in fact, been the practice in our previous Legislative Council—and also, I believe, in the House of Commons—occasionally to allow supplementary questions to be answered by another Member of the Government; but I think that this is rarely necessary or desirable.

A Question is always answered by the Minister or Parliamentary Secretary who is administratively responsible for the subject-matter of that Question, or officially connected therewith; and he is presumably better qualified than any other Member of the Government then present in the House to answer, not only that question, but also all relevant supplementary questions. Supplementary questions which are not relevant to the original question are, of course, disallowed.

Moreover, it is a definite rule of practice in the House of Commons, according to Erskine May, that supplementary questions may not be addressed to another Member of the Government.

Therefore, I take the view that all supplementary questions should normally be handled by the Member of Government who answered the original Question. There may be occasional exceptions, where a supplementary question, though relevant, raises incidentally some technical matter which overlaps or is better answered from another department; but there has to be some such true justification for intervention by another Minister before it will be allowed.

In particular, I see no reason for allowing a Minister, who had deputed his Parliamentary Secretary to answer a Question, thereafter to take out of his hands the answer to any supplementary question.

NOTICE OF MOTION

EMPLOYMENT FOR PROSTITUTES

Mr. Shikuku: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House, being aware of the seriousness of prostitution now in Kenya and the need to remedy this evil, urges the Government to provide worthwhile employment immediately for these social victims, in order to free the country of this evil.

ORAL ANSWERS TO QUESTIONS

Question No. 26

AFRICANIZATION OF FILM CENSORSHIP BOARD

Mr. G. M. Mutiso asked the Minister for Home Affairs: Is there any plan to Africanize the Film Censorship Board of Kenya?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to reply.

The Film Censorship Board has more or less all races on it and we consider that it is a technical matter which needs the services of those people who are qualified, but we have not altogether ruled out the policy of Africanization which the Government pursues. As soon as we find that we are ready, we will not lose that opportunity to Africanize it altogether.

Mr. Mulla: Mr. Speaker, arising from the Minister's reply, could the Minister tell the House how many Africans are today on the Film Censorship Board?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I can say that Africans are fairly well represented and we have more than six Africans on the Board.

Mr. Mulla: Mr. Speaker, Sir, arising from the Minister's reply, the question is, how many Africans are on the Board? I do not want to know that it is above so many, but the exact number. If it is six, then we should be told six.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, I think I have been very clear to the hon. Gentleman from the other side. I will tell him that if he likes to take it that it is definitely six, it is six, but it is more than six.

Mr. Murgor: Mr. Speaker, could the Minister tell us how many of other races there are?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, at the present moment I would say that members of other races taken together come to about fifteen.

Mr. Shikuku: Mr. Speaker, does the hon. Minister for Home Affairs agree with me that the figure six which we have been told—or slightly more than six—is indeed a very small percentage of that figure?

The Minister for Home Affairs (Mr. Odinga): It may be small, at the present moment, but I have said that we are considering the matter very seriously and in due course we might even be increasing the number.

Mr. G. M. Mutiso: Mr. Speaker, Sir, arising from the Minister's reply, is the Minister aware that films are part of education for a country which is developing like Kenya, and as from the first—

The Speaker (Mr. Slade): You cannot make a speech, Mr. Mutiso, you must put a straight question.

Mr. G. M. Mutiso: The question is, Mr. Speaker, is the Minister considering immediately Africanizing the Film Censorship Board of Kenya in view of the fact that it is very vital for the educational programme of this country?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I do agree with the statement that films are a very important factor in our lives in this country. On the other hand he should consider that at the present moment there are so many films which are shown in this country which are in foreign languages and I know it is the policy of the Government to try as much as possible to get the films which will be more local and which will be understood by our people very well. However, at the present moment, many of the films which are shown are in Gujarati and I am sure he would not understand them as he does not know Gujarati. Therefore, we must get people who will understand them and who will be capable of telling us whether they are suitable or not.

Mr. Mulla: Mr. Speaker, Sir, arising from the Minister's reply that there are more than six Africans on the Board; could he give us a tribal breakdown?

The Speaker (Mr. Slade): I do not think that is relevant.

Question No. 33

SETTLEMENT SCHEME LOANS

Mr. J. H. Kishiki asked the Minister for Land Settlement: What action is the Minister intending to take in view of the fact that most

of the new farmers in the settlement schemes will not be able to repay their loans due to floods or drought?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian) on behalf of the Minister for Lands and Settlement: Mr. Speaker, Sir, I beg to reply.

The majority of the new farmers on our settlement schemes will, in fact, be able to repay their loans without difficulty, as only a very small number of farmers have, as a result of flood, drought, or other "act of God", been unable to obtain satisfactory returns from their holdings. In any case where, through no fault of his own, a farmer finds himself unable to meet his repayment instalment on the due date, he is given a moratorium on that instalment, which is then spread over all the remaining instalments; this means that he is excused immediate payment of the instalment he cannot pay, but that all future instalments are slightly increased, to absorb the unpaid instalment.

Mr. Mulla: Arising from the Parliamentary Secretary's reply, is the Parliamentary Secretary aware that many of these farmers are finding hardship in repaying the loans because the period from the day they start with the loan to the date on which they start paying the first instalment is too short?

The Speaker (Mr. Slade): I think that is another question. Here it says difficulties arising from drought and floods.

Mr. Ndile: Mr. Speaker, Sir, would the Parliamentary Secretary tell us what sort of security is given against these loans to these farmers as security before they are given the loans?

The Parliamentary Secretary for Lands and Settlement (Mr. Marrian): Mr. Speaker, Sir, the security on land is the land itself and the permanent improvements on that land.

Question No. 36

DEVELOPMENT OF EMBU TOWN

Mr. Mbugah asked the Minister for Works, Communications and Power: Is the Minister aware that the development of Embu Town, as the Headquarters of the Eastern Region, is being hampered by the following:—

- Delay to install electricity.
- Poor state of roads, Embu-Meru, Embu-Kitui and Machakos.
- Lack of accommodation for regional officers.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I beg to reply: Although there is not an economic case for the provision of a public electricity supply in Embu, the demand being too small to support the cost of supplying it, the East African Power and Lighting Company Limited has undertaken, in consideration of the status of Embu as a Regional Headquarters, to institute a public supply there by extension of its mains from Sagana. It will take about a year to obtain licences, wayleaves, materials, etc., to complete the work.

The old road from Embu to Meru is in a most difficult section of country and its improvement to modern standards is thought to be prohibitively expensive. Accordingly, some years ago, work was commenced on the new Embu-Meru road and this work was brought to completion some months ago. This work cost something in the vicinity of £1m. and has provided a modern high-speed alignment between Embu and Meru. The distance between these two townships is shortened by some sixteen miles. The road between Embu and Kitui leaves much to be desired in many sections but the amount of traffic using this road must be taken into consideration when considering improvements. The Kitui-Machakos road was improved considerably some years ago and, again, because of the traffic count, it is not a feasible proposition to put into effect further improvements on this section of road before other highly trafficked roads are improved.

The question of accommodation for regional officers at Embu is under active consideration and actual construction work under the first stage of the building programme will start shortly.

Mr. Mboogh: Is the Minister aware that some of the officers refuse to go to their office accommodation because they say it is a bit remote?

The Minister for Labour and Local Services (Mr. Mwendwa): Mr. Speaker, I am not aware of that difficulty, but it is not the work of my Ministry to know where regional headquarters are going to be situated in any region.

Mr. Malinda: Mr. Speaker, Sir, arising from the reply of the Minister to question (a), what are the immediate arrangements to supply the township with enough electricity pending the installation by the East African Power and Lighting Company?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, there is no other alternative except to wait for the East Afri-

can Power and Lighting Company to install electricity there. They are the only people who are supplying electricity in all the towns in Kenya.

Mr. Mboogh: When does the Minister intend to do that?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, if the hon. Member was listening he would have heard me say that we are hoping it will be completed after a year, in a year's time.

Mr. Maliro: Mr. Speaker, Sir, arising from the Minister's reply on question (b), is he aware that since Embu has become the headquarters of the Eastern Region, the traffic from Kitui and Machakos will be heavier and will therefore warrant the immediate improvement of that road?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, we have to wait and see whether that will actually happen, but I would like to add that the Central Government will only be responsible for the trunk roads in that area. If this road is classified as a trunk road, then the Government will look after it.

Mr. Ngala: Mr. Speaker, Sir, arising from the Minister's reply on section (c), could the Minister explain what he means when he says that this matter is under active consideration? Does it mean that he is trying to get money from the Minister for Finance? When is he getting the money to effect the buildings and accommodation?

The Minister for Labour and Social Services (Mr. Mwendwa): If the hon. Member had listened carefully to what I said, he would have heard me say that the first stage of the building programme will start shortly.

Mr. Ngala: I understood the word "shortly". I am asking him to define "shortly". When is it? Is it next month, September or October, or next week? How much money has he already obtained from the Minister for Finance to effect that?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I cannot give the exact date when the work will commence.

Mr. G. M. Mutiso: With regard to the reply to question (d), Mr. Speaker, I would like to know who does the classification of trunk roads?

The Minister for Labour and Social Services (Mr. Mwendwa): I think we have to do a lot of educating here, Mr. Speaker. It is the Road Authority.

Question No. 38

INSTRUCTIONAL COURSES FOR CHIEFS

Mr. Giaciatta asked the Minister for Home Affairs: Will the Government consider instituting a course of instructions for chiefs concerning their attitude to the relationship with political leaders in their localities?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to reply. Refresher courses for the chiefs are done from time to time, but the Government is not aware of all of any bad relationship between chiefs and some sections of the community.

An hon. Member: Arising from the Minister's reply, Sir, is the Minister aware that at the moment due to lack of instruction to chiefs they interfere with politicians and cause a lot of confusion in the districts?

The Minister for Home Affairs (Mr. Odinga): I am not aware of that, Sir.

Mr. Ngala: Mr. Speaker, Sir, would the Minister agree with me that this question should have been directed to the region concerned since chiefs are under the regions?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, it is this Ministry which speaks for the regions because the regions are not represented here.

Mr. Maliro: Mr. Speaker, Sir, is the Minister aware that because of bad relationships between politicians and some chiefs, "uhuru" chiefs were introduced in Central Nyanza?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, the word "chief" is not given to one particular section only. We have chiefs in many sections, in so many ways.

Mr. G. M. Mutiso: Mr. Speaker, Sir, is the Minister aware that most of the chiefs we have today were installed during the colonial régime, and as such they do have colonial mentalities?

Hon. Members: Answer, answer.

The Speaker (Mr. Slade): Order, order. It seems to be a habit of hon. Members of the Opposition to shout "answer" without waiting to see whether or not the Minister intends to answer. That is most undesirable. Hon. Members are only justified in shouting "answer" if the Minister shows an obvious reluctance to answer.

The Minister for Home Affairs (Mr. Odinga): Thank you very much for your ruling, Mr.

Speaker. I am prepared to answer this question by saying that to a certain extent what the questioner has said is true, and applies not only to one particular section of civil servants in this country. However, we are doing all we can to tell our chiefs, and even the administrative officers in the field, that our policy is to administer with consent and co-operation, and that policy will be pursued as we go along.

Mr. Oyo: Arising from the reply, Mr. Speaker, is the Minister aware that due to lack of understanding by these present chiefs, who still do not know that there is a change of government in the country, it has created confusion in the country, and that therefore it would be better if his Ministry took the necessary steps to have them trained?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I have already replied that refresher courses for these chiefs are open, and that from time to time we take them into the centres where they are given short courses and some instruction on how to carry out their duties. I do not think there is any more the Government can do than that.

The Speaker (Mr. Slade): I see a large number of hon. Members wanting to ask further supplementary questions, but I do not think any of you are going to get any further on this.

BILLS

Consideration of Report and Third Reading

THE REGISTERED LAND BILL

The Parliamentary Secretary for Lands and Settlement (Mr. Murrain): Mr. Speaker, Sir, I beg to report that a Committee of the Whole House has gone through the Registered Land Bill and has approved the same with amendments. Therefore, I move that the House do agree with the Committee in the said Report.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Lands and Settlement (Mr. Murrain): Mr. Speaker, Sir, I beg to move that the Registered Land Bill be now read a Third Time.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)

(The question was put and carried)
(The Bill was accordingly read the Third Time and passed)
(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)
[The Speaker, (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Deputy Chairman (Mr. Slade) took the Chair]

THE BORSTAL INSTITUTIONS BILL

(Clauses 2, 3 and 4 agreed to)
(Clauses 5, 6, 7, 8 and 9 agreed to)
(Clauses 10, 11, 12, 13, 14 and 15 agreed to)
(Clauses 16, 17, 18 and 19 agreed to)

[The Deputy Chairman (Mr. Slade) left the Chair]
[The Chairman (Mr. De Souza) took the Chair]

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Is it in order for the Chairman to arrive late and to take over in the middle of a Bill?

The Chairman (Mr. De Souza): Yes, it is quite in order.

(Clauses 20, 21, 22, 23 and 24 agreed to)
(Clauses 25, 26, 27, 28 and 29 agreed to)
(Clauses 30, 31, 32, 33 and 34 agreed to)
(Clauses 35, 36, 37 and 38 agreed to)
(Clauses 39, 40, 41, 42, 43, 44 and 45 agreed to)
(Clauses 46, 47, 48, 49, 50, 51, 52 and 53 agreed to)
(Title agreed to)

(Clause 1 agreed to)

THE ESSENTIAL SERVICES BILL

(Clauses 2, 3, 4, 5, 6, 7, 8 and 9 agreed to)
(Schedule agreed to)
(Title agreed to)
(Clause 1 agreed to)

THE NATIONAL LOANS (AMENDMENT) BILL

(Clause 2 agreed to)
(Title agreed to)
(Clause 1 agreed to)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, Sir, I beg to move that the following Bills be reported to the House without amendment:

The Borstal Institutions Bill;
The Essential Services Bill; and
The National Loans (Amendment) Bill.

(Question proposed)
(The question was put and carried)
(The House resumed)

[The Speaker (Mr. Slade) in the Chair]
Reports and Third Readings
THE BORSTAL INSTITUTIONS BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Borstal Institutions Bill and its approval of the same without amendment.

The Minister for Home Affairs (Mr. Odings): I beg to move, Mr. Speaker, that the House doth agree with the Committee in the said Report.

Mr. De Souza seconded.

(Question proposed)
(The question was put and carried)

The Minister for Home Affairs (Mr. Odings): Mr. Speaker, Sir, I beg to move that the Borstal Institutions Bill be now read a Third Time.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)
(The question was put and carried)
(The Bill was accordingly read the Third Time and passed)

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

THE ESSENTIAL SERVICES BILL

Mr. De Souza: Mr. Speaker, Sir, I am directed by a Committee of the whole House to report its consideration of the Essential Services Bill and its approval of the same without amendment.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, I beg to move that the House doth agree with the Committee in the said Report.

Mr. De Souza seconded.

(Question proposed)

(The question was put and carried)

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTION

GUARANTEE OF LOAN REPAYMENT: EAST AFRICAN COMMON SERVICES AUTHORITY
(Resumption of debate interrupted on 16th July, 1963)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

The Parliamentary Secretary for Works, Communications and Power (Mr. Nyagah): Mr. Chairman, when I was interrupted on this Motion, I had got to a point where I was trying to bring forward to this House the reasons why it was necessary for our Government to guarantee the loan. The point I was making was that there is a money-saving factor in it, as well as a time-saving factor. Some hon. Members, Mr. Chairman, seemed to criticize the Government's intention by saying that it is a waste of money, and that the country cannot afford it. What they did not seem to realize was that this move will facilitate the efficient handling of cargo by the Railways, both on the lines and on the Lake.

THE NATIONAL LOANS (AMENDMENT) BILL

Mr. De Souza: Mr. Speaker, I am directed by a Committee of the whole House to report its consideration of the National Loans (Amendment) Bill and its approval of the same without amendment.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)

(The question was put and carried)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that the National Loans (Amendment) Bill be now read a Third Time.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)

(The question was put and carried)

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

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

[The Parliamentary Secretary for Works, Communications and Power] able to pay their worth. In any case, Mr. Chairman, even if the Railways did not buy this particular type of efficient and economical engine, they would be bound to buy a form of locomotive engine some time or another. It is a question of replacement, it is not a waste of money, as some people seem to suggest.

The kind of fleet we have on Lake Victoria is half a century old; it is worn out, and the time has come for it to be replaced, so again here it is not unnecessary expenditure, it is necessary expenditure which, as I have already said, is going to effect a considerable saving and also the efficient handling of cargo.

Finally, Mr. Chairman, there was a question asked about the loan and where we were getting the locomotives from and why we were getting them from the particular country. There is a good reason for this. The Railway Administration and the authorities advertised for the purchase all over the world. The best two tenders came from the United States of America and from Britain. When the two were compared it was found that credit terms given by the United Kingdom were—and they are the people giving the loan—much better than those of the other country. It was, therefore, decided that the engines should come from the United Kingdom. In view of the better credit terms, no one can doubt that that was the wisest thing that could have been done. The money is going to be drawn in instalments and we are told that the rate of interest is going to be better than that which can be had from a commercial undertaking, because it is going to be at the Government rate of interest, which will never exceed 5½ per cent at any particular time. I believe that the House, knowing that we are moving towards a Federation of East Africa, and knowing that this is one of our undertakings as members of the East African Common Services Organization, should not criticize, or even hinder or delay, the guaranteeing of this very timely loan.

With these remarks, Mr. Chairman, I beg to support.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Chairman, I am surprised at some of the remarks made by the Opposition. This morning we proved to them at the conclusion of the debate on the Motion that we know what we are talking about; that we are working for the good of East Africa, and that we are not as parochial as they like to think. Mr. Chairman, we have to guarantee this loan because we realize that if the Federation of

East Africa is to be made a reality we have to unify the fracture of East Africa and make men and goods move swiftly throughout the whole of East Africa. We want East Africans to know each other; we want East Africans to popularize the idea of a Federation. The best way of achieving this is to make the transport and communication system of East Africa more efficient, and to make the transportation costs less dear than they are at the moment. Some time back, Mr. Chairman, the East African Railways were almost put out of action as a result of competition from the road transportation system. We still maintain that without it the economic life of East Africa would suffer. We know that in the long run rail transportation is the cheapest and it is the most efficient system of communication. What the Motion is asking us to do is to guarantee a loan which will be paid almost automatically a few years from now. I do not see why, Mr. Chairman, the Opposition is blowing all this hot air.

Mr. Shikuku: On a point of order. Is it in order for the hon. Member to refer to what we say on this side of the House as "hot air"?

The Chairman (Mr. De Souza): I do not think that it is unparliamentary to use such language. I stand to be corrected by the Speaker, but I do not think that it is. One is used to having a certain amount of criticism from the opposite side on one's speeches. It is a view that the other side can have of the speeches.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Chairman, Sir, this is just ordinary language found in places like this. The point that I was trying to make was this. In order to make the East African Common Market a reality we have to improve some of the basic needs and the most important of these is the transport system. Commerce in East Africa is handicapped by an inefficient transport system. I visited a few ports in Uganda and Tanganyika a little while ago and I was amazed at the amount of congestion which one finds in these places. There are groundnuts, coffee, sisal, etc., piled up in heaps. The world is not waiting for us. If our system of communication is inefficient, we are the only ones to suffer. I think there is every good reason for us to guarantee this loan immediately.

I, therefore, beg to support.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, Sir, a lot of hot air was let off by the Opposition the other day on this Motion, and today we have had two of our Parliamentary Secretaries answering on behalf of the Government. One of them raised

[The Minister for Agriculture and Animal Husbandry] the point that the Opposition do not seem interested in the replies of the Government. Therefore, Sir, with your permission I would like to move that the question be now put.

The Chairman (Mr. De Souza): I think we have had a lot of hot air from the Opposition, and therefore there is no further interest—as far as I can see—in speaking.

(The question was put and carried)

(The question of the Motion was put and carried)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I beg to move that the Committee do report to the House its consideration and approval of the Resolution without amendment.

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT

GUARANTEE OF LOAN REPAYMENT: EAST AFRICAN COMMON SERVICES AUTHORITY

MR. DE SOUZA: Mr. Speaker, I am directed by the Committee to report the consideration of the Resolution and its approval of the same without amendment.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to move that this House doth agree with the Committee in the said Resolution.

MR. DE SOUZA seconded.

(The question proposed)

(The question was put and carried)

COMMITTEE OF SUPPLY

(Order for Committee read)

VOTE 6—PRIME MINISTER'S OFFICE

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chaman Singh): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair. This is to enable the House to consider Vote 6—Prime Minister's Office. (Resumption of consideration of Motion interrupted on 17th July, 1963)

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chaman Singh): When we adjourned the debate on Wednesday, I was introducing the Vote of £100,000 for diplomatic representation overseas. This sum is required for Kenya embassies and High Commissions overseas on independence. It is difficult to say what the exact expenditure will be but this estimate is based on the experience of Tanganyika and Uganda.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

It is also thought that if and when Federation comes about—and it is hoped that it will come about this year—the sum of £100,000 will pay our share in the cost of joint representation abroad.

The second main increase in the Vote, as I said, is £232,000 which is for supernumerary posts to cover leave vacancies arising out of premature retirements of officers under the general retirement scheme. The normal rule is that a post remains vacant for six months or until the officer's leave expires. That rule works in normal times but in times like the present it is not always possible to leave the vacancies unfilled until the leave of the officer expires, or even until the period of six months expires, because the number of officers retiring is too large for this. It is therefore necessary to make special provision for the creation of supernumerary posts; but I can assure the House that all applications received from Ministries for the creation of supernumerary posts are very carefully scrutinized and every effort will be made to cut out any posts which are really not needed. Consent will be given only in those cases where a supernumerary post is absolutely necessary.

Now, Sir, I believe the House will want to know something about the activities of the various branches of the Prime Minister's Office. The two big departments, as I stated last time, Police and Defence, will be dealt with under their separate Votes. The other two important branches are the External Affairs Branch and the Localisation and External Training Branch. The purpose of the External Affairs Branch is to co-ordinate the relationship of Kenya with other countries. This branch is building up records of basic information which will be of use to independent Kenya. The main effort of the branch, however, is directed at the training of future diplomats for the country. Up to now, ten young Kenyans have been engaged for training as diplomats. Of these ten, eight are Africans, one an Arab and one an Asian. It is

[The Parliamentary Secretary to the Prime Minister's Office]

planned to start soon the training of another seven persons and it is hoped that some, at least, of these seven will be women.

The House will probably want to know the sort of training that is being given to these young diplomats. Two of these persons have been to a British Foreign Office course in London and have been attached to British Embassies in Scandinavia and, in addition, have attended a six months' course in international organization at the American University in Washington. Two others have attended a two-month diplomatic course organized by the Carnegie Endowment with the help of a number of experts from Africa, America and Europe, and they are now at British Embassies, one in Europe and the other in Africa. Another young diplomat has had a period of training with the New Zealand delegation to the United Nations and also at the New Zealand Department of External Affairs in Wellington. Two others will receive similar training with the Australian and Canadian delegations at the United Nations. One is studying Treaty Law at the Columbia University at New York. He is already a trained lawyer.

I should state that before these young people are sent on their training overseas they are given a few months' training on the job. I should also say that their training is paid for by Development Estimates which will be discussed later. I am, however, giving these details because it is better to complete the picture altogether.

Substantial aid for the training of diplomats has been forthcoming in the form of fellowships from British, Canadian, Australian and American Governments and also from the Carnegie Foundation. Kenya is, of course, very grateful for this assistance.

The training is intended to provide representation abroad for Kenya but the type of training given is broad enough to fit these young people for absorption in the Foreign Service of the Federation when the Federation comes about. The training covers economic and commercial problems and also matters relating to financial and technical assistance, especially the role of new countries in the United Nations.

It is most important that these young diplomats should receive the best training possible because the task that they will be expected to perform on behalf of the country will be difficult and will be delicate. It is easy for the diplomats of the committed nations to do their work. They get their theories ready made and they know the

lines they are to take. The non-committed nations, however, have always a difficult task to perform. They follow a policy of non-alignment. This does not mean that they have no friends or causes to support, but it means that each problem is considered on its merits as it comes along. There is no ready made solution to all the problems as exists in the two committed camps of the world. For that reason it is necessary that these young diplomats be given as good a training as is possible.

The second department that comes under the Prime Minister's Office is the Department of Localization and Training, under the Director of Personnel. The methods used for giving training to new entrants are several. The first is a scheme of scholarships. These scholarships are meant mostly for post-graduate studies, but they are also available at the Egerton College. 570 officers so far have taken advantage of this scheme.

The second method is that of the departmental training schemes. There are fifty such schemes in existence now. A scheme may be run entirely within a department, or may be run partly within a department and partly at one of the educational institutions in this country. There is the Royal College which provides training, there are the Survey Training School, the Ministry of Works Staff Training Division, and also the Medical Training Centre.

Mr. J. M. Kariki: On a point of order, I would like to know whether we are a Quorum?

The Deputy Speaker (Mr. De Souza): Yes, we do. We are twenty-one people.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Sir, the third method of providing training is at the Kenya Institute of Administration. This Institute which was built and staffed with the aid of the United States Agency for International Development provides training for administrative, executive and secretarial grades. It also helps in the training of local government staff, community development staff and co-operative staff. There is, at the Institute, residential accommodation for 400 students. Over 600 have either passed through the Institute or are now in training.

The fourth method is the Maseno Training Centre. This is situated in a region, but is one of the national institutions: run for the benefit of the whole country. The Centre trains clerical staff at a lower level. It also helps in training local government staff, and also middle grades of African courts staff.

[The Parliamentary Secretary to the Prime Minister's Office]

The fifth scheme is a scheme for the northern areas of the country. This is meant for staff recruited from the tribes of the old Northern Province. It is under the direct supervision of the civil secretaries concerned. The problems in this area are very special, and therefore it has been necessary to establish a special training scheme for recruits in that area.

There is also a sixth scheme, which is the secretarial and typing training scheme. This is run in co-operation with Sir Isaac Pitman and Sons. The object is to train Pitman instructors. Five instructors have already returned; and of these three are now teaching at the Polytechnic. One is at the Coast Girls High School, and one is starting at the new Secretarial College at the old police inspectors' mess, Hospital Hill Road, Nairobi. It is also proposed to provide secretarial training, when sufficient trained staff is available, at Maseno, Nairobi and Mombasa.

I might also mention other help that is given to young persons to train for Government jobs. I should emphasize that no local people who have obtained higher education, either here or outside, are refused jobs for want of vacancies. High-level induction courses are always provided and vacancies are either available or are created for them. While they are attending courses super-numerary posts are created to provide relief.

There is another direction in which Government helps. There are a large number of Kenya students in the United States and in the United Kingdom. Some of them have gone under private sponsorship. In these cases, the Government considers the type of course that these young people are doing, and if the courses on which they are engaged are suitable, then return passages are provided for the persons concerned. These persons, of course, are expected to sign a bond undertaking to serve the Government for at least three years.

There is another way in which Government helps in localization and training schemes. The institutions that are established are, mainly for the staff of the Kenya Government, and, of course, the regional governments, but, in addition, they provide training for local government staff and for authorities outside Kenya. In these two cases, of course, a charge is made for the training provided.

Now, the results of all these training schemes, and of these methods—

QUORUM

Mr. Maruli: On a point of order, are we a Quorum?

The Deputy Speaker (Mr. De Souza): No, we are not Quorum. Ring the Division Bell.

(The Division Bell was rung)

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

The Speaker (Mr. Slade): We are now a Quorum, you may proceed.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): There are about 9,000 posts in the Civil Service under Scale C and above. These are career posts for people who want to enter the Civil Service. Of these, 2,000 are now held by Africans. That shows the progress that the localization and training schemes have made possible. In the Administration, there are 215 posts, including Regional Government Agents and Assistant Government Agents, and of these 125 are now held by Africans. Of the 168 Established posts, of District Assistant, eighty-five are held by Africans.

Another office which is within the jurisdiction of our Ministry is the Kenya Office in London. Hon. Members have shown a great deal of interest whenever this Office has come up in the past for consideration. The Subhead G which covers the Kenya Office is for a sum of £19,700. The main posts covered by this sum are the Kenya Agent himself, the Assistant Agent, the Public Relations Officer, the Information Officer and the Trade Representative. The Kenya Agent's post fell vacant sometime ago and it has not yet been filled. The matter is under consideration and it is possible that the incumbent will not in future be a Civil Servant but someone who is able to interpret to the people of the United Kingdom the policies of the Government. The Assistant Agent occupies a position similar to that occupied by the Permanent Secretary in the Ministries. The function of the Trade Representatives is to keep the Government of Kenya informed about development in Europe and especially to help Kenya in expanding its trade. This post has not yet been filled but it will probably be filled about the end of this year by one of our diplomatic trainees.

This is all that I can say at the moment, the future depends on developments in the wider scene of East Africa. The formation of a Federation will change the form and extent of our representation in London, but what exact changes will take place in this respect it is difficult to say.

Thank you, Mr. Speaker, Sir.

Mr. Ngala: Mr. Speaker, Sir, I would like to congratulate the Parliamentary Secretary for the very clear presentation he has made of his Ministry's Vote, that is the Office of the Prime Minister. I think we all appreciate the stage that we have reached. In fact the creation of this office is a credit to the political development of this country. We would like, however, to make a few observations with the hope that the Government will find it acceptable to consider some of these points.

The first point, Sir, is the question of localization and training. The Kabete Institute of Administration was started when this country had the idea of a unitary Constitution and the purpose was to train people centrally for Government services of a unitary type. But since the starting of this centre the country has moved to a different type of Constitution, that is the Federal type of Constitution. Now, I acknowledge the need for training these people centrally but I would like to make a plea to the Parliamentary Secretary that he would speed up the building of training centres in the various regions. I am pleased that he has mentioned that Government intends to set up a centre at Mombasa, Nairobi and Maseno for secretariat training. I would like to know whether that can be speeded up and perhaps even a date for the starting of the scheme, particularly in view of the establishment of the various regions that will want these training schemes to go ahead in a more vigorous way so that the staff of the various regions establishments can be trained.

I would like to know whether it is the intention of this Ministry not only to confine these training centres to secretariat schemes, but to include other training as well, at Nairobi, Mombasa and Maseno, so that the departments there can benefit. Perhaps in this way not only one region but two or three regions could be effected to make sure that there is opportunity for training on a more widely spread basis.

I have never been satisfied with the idea of having one centre for the training of local government officers at Kabete. It is a very fine training centre, which was greatly sponsored by people from overseas countries, and we are very grateful to them all, for the contributions that have been made, particularly by the United States of America. But all the same we feel now that the Constitution requires a more de-centralized method for the training, these training facilities should be established in different areas for the benefit of the fresh establishment of the regions.

The other point, Sir, is the training of women under the localization schemes. I believe that it

will be very, very important for the local women in the different regions for these centres to be encouraged in their own regions. We need African girl secretaries in the different regions and I would ask the Parliamentary Secretary to consider reducing the academic requirements for the girls secretarial courses so that any girls who have passed Standard VIII could be considered for these courses. I do not see the reason for making the academic qualifications required very stiff for these girls if they are only to be expected to know how to type well, how to keep their files properly and to serve honestly. I think the qualifications are too high on the whole, particularly in view of the difficulties which have already been mentioned by the Parliamentary Secretary himself. For example, in the Northern Frontier District there is a need to lower the standards so that the people can simply acquire the experience and training that they need, and which is more important for the conduct of their jobs. Therefore, I would like to ask the Parliamentary Secretary to influence the Government and to make them see the difficulties caused by the academic qualifications that are required today being too high for the various regions. The standard of the intake should be judged on the need of the various areas rather than on the standards which are fixed here in Nairobi which make it very difficult for various places to get their staff.

I would like to know how many of the 2,000 Africans who have taken their places in the country in jobs are women. What jobs are these women doing? There is a general complaint that the women are not given a reasonable share by this Ministry in the matters of localization and training. The Government the other day was talking of an unbalanced position, but I feel the unbalanced position is not between races, it is between the men and the women. Here there is a greater unbalanced position which the Government should put right, and I would like the Parliamentary Secretary to take into account the need of training, localizing and giving opportunities to women more and more in this country.

I would like, Sir, to know whether in this training for external affairs the Ministry is taking any interest in getting the young people—who are in training—acquainted with African affairs in other countries. The Parliamentary Secretary has mentioned some places which these young people are visiting or where they are being trained; these all happen to be European countries. I think it is very wrong that these young people do not go and visit or are not trained in these African countries that got their independence earlier. If they went to these countries they could get to know the sort of difficulties which may be very appropriate to

[Mr. Ngala] ... our own conditions here, this would also make them better diplomats with more understanding as far as African problems are concerned. It might be very beneficial for such young men to visit countries such as Ghana or Nigeria, or some of the other countries that have been independent for a long time, so that they can acquire some experience with regard to African affairs.

I am very surprised that at this stage of internal self-government we only have ten people being trained as diplomats overseas. Is it because the applicants are not forthcoming, or is it because the qualifications are too high? I would like some explanation as to why we only have ten people. Is this the whole establishment that the Ministry is thinking of? Is it in view of the Federation of East Africa, or is it because of financial difficulties? I think that number is too small and we should have more people in the diplomatic training, particularly as independence is coming sooner than many people did expect.

The other point I would like to touch on, Sir, is that I would like to know what the policy of the Prime Minister's office is with regard to housing. I think his office is in charge of personnel organizations and personnel establishment. I have seen many Government officers being offered Government houses and they very often say, "I do not need the Government house and I would like to look for another house elsewhere". The Government then takes the trouble to pay rents for these officers in other non-Government houses. I would like to know what the policy of the Prime Minister's office is on this matter, because I think throughout the Estimates we are spending a great deal of money on housing and house allowances. It is high time the Government made their policy on housing and house allowances very, very clear. I am also aware that even the Prime Minister, himself, was originally offered a house somewhere and he did not want it and so he now has a house that belongs to the Aga Khan. This is a very ridiculous position, whereby there is already a Government house for him and we could save money. The Government allows officers to find houses on their own and then goes into the expense of paying house allowances to these officers. Therefore, Sir, I would like to know what exactly is the policy of the Government. Why do we go on paying these house allowances to these officers? Is it the Government's policy to spend money this way? Why do we particularly pay rents while existing houses are there which belong to the Government and the officers themselves refuse to use these houses? I have given the example of the Prime Minister's house which he rejected.

Another point, Sir, is about defence. Kenya is going to become independent very soon, but we have less than 2,000 soldiers in our army. I would like to know what the Government's intention is regarding the army, strengthening and improving it, particularly with regard to getting the fighting equipment so that we can be more prepared for any eventualities after or before independence. I think for an independent country to have less than 2,000 soldiers is a very serious situation. I would also like to know what the Government's plan is for inducing the British personnel already in Kenya to stay so that they can "teach" our soldiers the sort of things they should know before independence. Also, what British equipment that is here in existence can we acquire to strengthen and improve our army? I would like to know whether there is a plan being undertaken by the Government for negotiations so that there can be more units and companies of the army to strengthen our position. This may be a question which is related to the East African Federation and the Government may tell us that this will be dealt with in conjunction with the Federation of East Africa. If so, we want to know whether defence is one of the powers that will be surrendered by the Central Government to the Federation of East Africa, and what they are doing to strengthen the position of defence.

In relation to this question of defence, Sir, I would like to know whether the External Department of the Prime Minister's Office is in touch with the Foreign Ministry of Somalia, particularly with regard to this thorny problem of the N.F.D. I feel that as we go on, things are getting worse in spite of the statement made by the Prime Minister one and a half weeks ago that his Ministers were in touch with this country.

I am very glad to see that one of the Ministers is now sitting in the Front Bench. I hope he will be able to describe to us what fruits they have brought as regards this problem of the N.F.D. and our external relationship with Somalia, and also what fruits they have brought with regard to Ethiopia concerning the same problem, and the other problems of the Sursurri and Turkana people who have been killed from time to time. This, I hope, will be made clear to us, because the hon. Minister, Mr. Koinange, was one of the Ministers who went on this mission. I would like to have clear information as to what is happening, what talks were held, and what steps they have reached as far as the Somali/Kenya question is concerned, and as far as the Ethiopia/Kenya talks are concerned.

Another question concerns external affairs. I would like to know whether Government is making arrangements to get tutors from countries

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with more experience in external affairs so that they can visit our country, and particularly go to the Kabete Institute of Administration, so that more students can benefit from their knowledge. It is very costly for our country to send a few students away, but I think there are bodies which could assist us by sending tutors here to help in matters of foreign affairs. There may be some foundations, organizations or colleges which are interested, and if the Government has considered this I would like to know what steps they have taken, what approaches they have made, and what results we should expect.

Another point I would like to mention, Sir, concerns personnel. There is a considerable increase on personnel and staff. I understand that this is a new Department, but it has been in the Chief Secretary's Office, and at one time it was in the office of the Minister of State for Constitutional Affairs and Administration, so it is not as new as the Parliamentary Secretary gave us to understand. I would like to know why there is this very big increase—for example, there is an increase of about seventy-three in the staff—because this office was already there, and in many cases there has just been a change of name.

Again, it looks as if there is an increase on the temporary clerical assistants. I would like to know why there are so many temporary clerks, and what type of work they are doing.

Mr. Speaker, Sir, I think there is a clear need for Government to explain to us the necessity for having these two Ministers of State in the Prime Minister's Office. I would like to have a detailed explanation on what the job of the Minister of State for Pan-African Affairs entails. This is not a personal issue; it is just for my information and for the information of the House. We would like to know exactly what job this Minister does in order to justify our own feelings as to the need for this Ministry and paying for it. It is high time that Government undertook to spend public money carefully and economically, that they started to save for the country. Wherever that can be achieved, I think it should be done.

Now, I understand the Kenya Office and the Kenya Agent in London are situated in different offices. I would like to know why these two cannot be in one office. I am open to correction in this matter, but I think they have different offices. Why is it not possible for the Ministry to put these offices together in one building so that we achieve a saving? I would also like to know who is responsible for East Africa House in London. Is it the Prime Minister's Office? How much do

we pay towards the maintenance of East Africa House? This place, Sir, has been very unpopular among the students in London, and many feel that the Kenya Government is wasting money on East Africa House. Some feel that there is a little discrimination in East Africa House. I would like to know whether the Minister has received these complaints on East Africa House.

We would like to know with regard to the £100,000, whether there will be a saving, after establishing the East African Federation, on the Kenya Office. Naturally, there should be a saving, because my feeling is that the Kenya Office will probably become a foreign office, or the Foreign Office of East Africa, and the double Votes shown here could probably be put together, thereby producing a saving.

Since we are so near to our independence, I would like to know in which places we are going to open our foreign offices to begin with. Will it be Washington or London? In what other places are we going to open our offices? How has the Parliamentary Secretary reached this estimate of £100,000?

For seven or eight years we have not had a Kenya Agent. I would like to know who has been doing his job and when we are expecting to appoint the new man who will take over the job of the Kenya Agent. There has been a great deal of comment on the appointment of the Kenya Agent in London because this person is representative of the country, as it were. We would like to know how Government intends to appoint this person because we want to have someone who will be representative of the country and who will not be just a party stooge and take a position which will be detrimental to the country. I think the Parliamentary Secretary will learn from other African countries which have been inclined to send just a party stooge, who afterwards has sadly failed and made a very bad name for the particular State. I hope our Government will not make such a mistake.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chunan Singh): Which country?

Mr. Ngala: I am not interested in saying which Government; the Parliamentary Secretary knows which Government I have in mind.

Mr. Speaker, Sir, the other point on which I would like to have some clarification is the question of the independence celebrations. I think this is a matter which comes within the Prime Minister's responsibility. The Parliamentary Secretary did not touch on it, but I wonder whether he would be kind enough to explain

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to us exactly what Government intends to do or is preparing, as far as the celebrations for independence are concerned. We want to know how much money will flow to the various areas for the celebration of independence as we want to prepare for a really big occasion. We hope the Parliamentary Secretary can assure us that there are plans going on and also that money will be flowing to the various areas.

We would like to know also whether the Kenya national flag is ready and whether we shall be given an opportunity to fly it here in the House first. We would like information as to the many things which the Government expects the country to do in the way of preparing for independence, so that we shall not be caught unprepared in the different areas. We do not want it to become just a Kariu issue, it is a national issue which should not be treated lightly.

Mr. Speaker, Sir, I will be very happy if the Parliamentary Secretary gives me replies in general on the points I have raised, but I hope I shall have another opportunity to talk on certain details through the Committee stage.

Mr. Khasakhal: Mr. Speaker, Sir, I wish to take this chance of expressing my views on the Prime Minister's Office before we come to the Heads at a later stage.

First of all, I would say that I am proud to see that we now have an African Head of State and that the thing for which we have been fighting for a very long time has come into existence. I would like to know whether the Prime Minister's Office has been Africanized completely because I feel that this is the only office in the Government which should have Africans only. For the simple reason that it is going to discharge the policy of the African Government, and if it is going to discharge the policy of the Kenya Government, which is an African Government, it should be run completely by Africans. As I say, this is the only office I would like to see with black faces because many leakages can easily come through the Prime Minister's Office to other countries and as a result we would suffer from a leakage of perhaps confidential information. I feel that all of the seventy-three staff members, as shown here, should, if possible, be Africans. The thing which makes me believe that it is not too hard to persuade me to urge the Prime Minister to carry that out immediately, is that in the Vote I see quite a lot of expenses to be paid for home leave, passages on leave, and other things, which, of course, I am going to talk about when we come to the various Heads.

Mr. Speaker, I consider this to be a very serious problem and a matter of great urgency. I hope the Minister himself, when he replies on the Vote, will tell us the number he has promoted to make room for future experienced African people in our own Government.

Secondly, Mr. Speaker, I would like to raise the point of the Kenya Office and diplomatic representatives overseas. I do not see why we should have two Heads at the moment, one representing the Kenya Office in London and the other diplomatic representatives overseas. I think this ought to be brought under one Head. If we have a representative in London dealing with Kenya affairs, why not put all these people together to represent the views of the people of Kenya in one office? I do not see why we should go to extra expense by having two different offices in London, one known as the Kenya Office and the other as the Diplomatic Office. I think the duties could be discharged by one office without wasting more of the taxpayers' money.

Then, Mr. Speaker, I would like the Minister to tell us how Kenya, which is just attaining its independence this year, will fit in with countries like Uganda and Tanganyika which have already established overseas offices and have ambassadors and representatives overseas now that we are working towards the Federation of East Africa? How are we going to fit in these offices when we have a Federation of East Africa? It appears to me, Mr. Speaker, as though Kenyans will be holding junior posts overseas because there are people of East Africa who have already gained experience and will therefore be holding higher posts overseas than Kenya people. I would like an explanation of how we are going to fit into this; whether we shall establish our own diplomatic offices or embassies and other things overseas, and whether we shall be considered for higher posts overseas when the East African Federation comes into existence.

Mr. Speaker, I would also like to know from the Prime Minister when he replies what good relations he is trying to create with neighbouring countries such as Somalia and Ethiopia, which have been threatening our borders.

We have had a lot of disturbances on the border. This must create a very unpleasant situation in an independent Kenya. As a result we might find ourselves running into heavy expenses for which we have not prepared. I would like to know whether there are negotiations being instigated, before Independence with the people of Somalia and the people of Ethiopia. It is no good ignoring this; this is a problem which is going to face an independent Kenya. We should

[Mr. Khasakala]

be prepared for it. We should get ready right now. We must know how our defence is going to be handled at the border. At the moment it is easy because we have the British Army in Kenya, although I understand that they will be leaving us very soon. My Leader has spoken about the strength of the Army—our own troops, the King's African Rifles—at the moment. We have only got a handful. We should not forget our own internal difficulties, and the difficulties which might face us at the border. I do not say that they will come, but we should not ignore the possibility of their coming. We must see that there is a quick training plan provided, so that we can build up a strong army, immediately, before Independence and before the British Army moves from Kenya. We should have at least well over 10,000 soldiers, ready to handle the situation in Kenya. We have too many Youth Wings; make them soldiers to fight for us whenever trouble comes. I would like this to be considered very seriously by the Government. It is very easy to talk of African unity and forget that there might be internal problems, as for example, two brother fighting. I feel that the Army should be trained immediately. We must have our own troops. It does not matter if they are Kantu or Kadu so long as they are people of this country and they are trained.

Mr. Speaker, I do not see the need for two Ministers in the Prime Minister's Office. I am sure that their duties could be discharged by one assistant Minister attached to the Prime Minister. If we have too many posts created, then we shall run into heavy expense. This country is in need of money for other things. There should not be so many posts which have no proper meaning. I am sure that with a well trained and efficient staff that the Prime Minister could cope very well. I would like the Prime Minister to consider this when he replies and tell us how long he is going to keep these Ministers in his office, or whether he has considered taking any action to replace these two Ministers by one.

Mr. Speaker, the Leader of the Opposition raised a very interesting subject in the House Allowances. This, I feel, is another way of wasting the taxpayers' money. These houses are not being built every year, surely they have paid for themselves by now. It is high time that these houses were made Government houses and no money paid out for allowances for them. I see that there has been voted a considerable amount of money for the House Allowances. Are these houses hired houses? Who builds the houses? If they are hired why can they not be bought? What are the allowances for anyway, Mr. Speaker? If

they are made Government houses why should there be such heavy sums paid for Government officials who are supposed to live in these houses? I am sure that the period over the last sixty years—when we were under the colonial Government—has paid for these houses. We do not need to keep paying for them. We must not keep on taxing people when there is no need.

Lastly, I should like the Prime Minister to do away with the unnecessary expense of the Home Leave provision.

With these few remarks, Mr. Speaker, I beg to support.

The Parliamentary Secretary for Labour and Social Services (Mr. Odeoro-Jowi): Mr. Speaker, the hon. Member who has just been on the Floor has just raised the question once again of the two Ministers in the Prime Minister's Office. I think that it is high time that the Opposition realized that we in the Government have quite a store of experience and that whenever we decide on a course of action, we know that it will be for the very best interests of the country. Take, for example, the Ministry of Pan-African Affairs. I have made this point in the House before, but I wish to repeat it again. This is one of the most vital Ministries we have in this Government. Pan-Africanism is an ideal which was initiated and pioneered by the Prime Minister of this country and we believe that it is worth investing a lot of money in ordering our relations with the sister African countries. This investment is worth all the attention that we can give it. To begin with African countries have been isolated for a long time and if we are to avoid the tragedies which some continents have experienced we must begin right away by creating good relations and understanding between ourselves and the surrounding African states. This is why I think that the Ministry of Pan-African Affairs is very important. Fortunately the Minister concerned is a man of high reputation as far as African affairs go. He is widely travelled. He has been one of the architects of the whole Pan-African movement and I think that there is nobody better qualified than himself to handle this portfolio. Already through his efforts our relations with some of the surrounding countries are excellent and rather than complain and despair about this, I think that we should praise the Prime Minister for having thought of instituting such a Ministry.

Mr. Speaker, Sir, the other Minister in the Prime Minister's Office handles foreign relations generally. Again we have a man with some experience in foreign affairs. The Minister concerned is also widely travelled and for a long

[The Parliamentary Secretary for Labour and Social Services]

time he has handled the affairs of Africa in London. If there is anybody really fitted for this kind of responsibility it is him.

Again, there have been complaints from the Opposition that we still employ a lot of expatriates in the Prime Minister's Office; when, as a matter of fact, this is as it should be. Of course, we are very eager to Africanize and we are more concerned with Africanization than the Opposition would be. If Kadu had formed the Government we should have suffered much more because firstly speaking, they do not have the people with the type of experience that we have on this side. If it was their Government the question of employing expatriates should have taken us much longer to solve.

The training of diplomats for independent Kenya is, I think, something which we should pay more attention to. I have the feeling that training is not being thought as vigorously as I would like to see it done. Foreign relations is a very important thing and in the long run we will find that the economic development of a country like ours will depend partly on what relations we establish with foreign countries. Foreign aid is a subject of diplomatic relations these days. You ought to get it when your relations with the capital exporting countries are good. I would, therefore, like that we should place great emphasis on training the right type of people, the people with the deeper understanding of the modern issues in international politics, especially people who understand the modern economic relationship between countries.

Mr. Speaker, Sir, I think that the Prime Minister's Office should, of course, take in more Africans, especially on the secretarial staff. In this Ministry we deal with a lot of things which are confidential and secret and it should therefore give top priority to the training of African secretaries so that at least we are sure that the secrets of our Government are maintained. I am not implying that they cannot be maintained now, but since we are committed to Africanization the sooner we Africanize some of these posts the better.

Mr. Speaker, Sir, with this I would like to support the Motion.

Mr. Pandya: Mr. Speaker, I did not wish to intervene in this debate, but I feel I must be consistent in my approach to this problem of Kenyanization and Africanization, a matter which I raised a few days ago.

I want to take this opportunity of disassociating myself from the remarks of my colleagues on

this side of the House who said that the Prime Minister's Office should only consist of black people; that is the way we put it. Well, Sir, I have no objections to having more Africans in this particular Ministry, but after independence—and I want to emphasize this because I am talking of the future—the citizens of this country, irrespective of their original colour, should be given equal opportunities.

I did not like the fact that my hon. friend, the Member who just went down, entered the institution that there were many confidential matters in the Prime Minister's Office—and when he later tried to correct himself he did not succeed in the attempt—which could best be kept by Africans. Confidential matters can be kept secret by any Kenyan; it does not only have to be a black Kenyan; it could be any Kenyan whatsoever.

I am giving this Government another opportunity, Mr. Speaker, to give us an assurance that after independence people of Kenya origin and citizenship will be given equal opportunities to prove themselves loyal citizens of this country as any other person who apparently belongs to this country.

With these words, Mr. Speaker, I would like to support.

Mr. Godia: Mr. Speaker, I would like to say something on this Vote. It is suggested that the Prime Minister's Office should be composed of mostly black people, Africans only, regardless of other races, and I think this question was made clear, Mr. Speaker, by the hon. Minister for Home Affairs when he answered another hon. Member for the Coast regarding the position of Asian appointments in Kenya. Our policy is that anybody who has made Kenya his home, who has another place like India or England to go to, is classed by us as an African. He must, however, be sincere in what he says, and I think that was made clear, Mr. Speaker, to us. I think what we need to do here is to be confident, and trust the Government. This Government is a very fair Government, and there should be no fears. People do not need to have fears regarding the future, because we have everything at heart, and I think you can fear on the other side, but as far as we are concerned, I think, Mr. Speaker, that this Government is going to do what is best for the people.

I would ask the hon. Member, Mr. Pandya, to cross the Floor.

Mr. Speaker, there was another thing mentioned in the Press, and that was regarding the man who murdered the District Commissioner and the Senior Chief in the Northern Frontier District. The murders are reported to have been

[Mr. Godia] ... of the Government of Somalia. I would ask the hon. Parliamentary Secretary to make investigations as to the truth of this report. The Kenya Government, I think, asked the Somalia Government to help trace these murderers, and if this report is true, then I think it is a matter for the Kenya Government to investigate.

Mr. Speaker, another point which was raised by the Opposition was regarding leave expenses. I think it is worth considering, because when people who live here and regard Kenya as their home, there is no need for them to receive passage expenses for leave overseas. If they get leave, they should spend their leave in East Africa. If one wishes to go overseas and other places like that, he could go on a special issue. Normally, the Kenya Government should not have to meet the expense of anyone going overseas. We are now looking at the people who are going to be employed in this country as Kenyans. There would be no need to spend money on people who want to go to their own homes for leave. I think, Mr. Speaker, that is a point which our Government should consider.

Regarding the training of the Army, Mr. Speaker, I would like to say that the Army should be trained centrally here. It should not be trained on a regional basis, because if the Army were trained on a regional basis, there would soon be rivalry. Mr. Speaker, I say the Army should be trained centrally here. Above all, Mr. Speaker, I would say that if we all co-operate together in trying to help the Government do its work, and try to criticize constructively, then everything will be all right. I call on my hon. friends not to fear the future, just to be confident and things will be all right.

With these few remarks, I support the Motion.

Mr. Agari: Mr. Speaker, Sir, I only want to say a little about the Prime Minister's Office. We seem to sympathize with the feeling in the world that people should disarm as much as possible and help to promote peaceful co-existence, but we do know very well that a young country may have to face certain difficulties internally, and also there may be troubles on the borders, caused by other countries which are still young. So it is very vital that as a country emerges as an independent state, it should project its personality and strength which will give its people confidence within the country, and respect from its neighbouring territories outside.

In this respect, Mr. Speaker, Sir, I would like to see more vigorous plans being made to train

our Kenya Army, because we have an agreement with the British Government, that their Army will leave once we are independent. I know that Kenya has, so far, relied entirely on the British Government for security purposes. At present, our units of the King's African Rifles are very inadequate as a defence body. The soldiers themselves are dressed very badly. If you look at their khaki uniforms you see that it makes them look like funny fellows, and the uniforms are very obsolete. I would have liked to see a change made at once which will bring national pride into the hearts of the people and the Army of the country. I would request the Government to look into this, even before independence. We do not want to see khaki uniforms for our independence parades. We want to see a more presentable Army with clean, smart uniforms. Mr. Speaker, Sir, we know also that our King's African Rifles possesses very, very obsolete weapons; old rifles which can no longer cope with anything. We know that there are many branches in a modern Army. We do not have an engineering corps, we have a very inadequate medical corps, we do not have Navy or an Air Force. I do not see why something cannot be done immediately.

So, Mr. Speaker, Sir, I am requesting the Government to go into this matter quickly before independence, and I would be very interested to hear how this is going to be done, particularly in view of the fact that the neighbouring country of Somalia is threatening us. They have not shown any co-operation, or moderation in their attitude towards the problem of the Northern Frontier District. Mr. Speaker, Sir, I am particularly interested in the Army side of our national future, because I know for certain that a country must be strong and in the event of trouble, we have to depend on ourselves. A country must make its citizens feel confident that, in the event of trouble internally or externally, they can cope with it through the Central Army and an efficient police organization.

With these few remarks, I support the Motion.

Mr. Anyieni: Mr. Speaker, Sir, I also want to support the Motion for the Prime Minister's Office. I am surprised that the money allotted to the Prime Minister's Office is so little, because there is so much to be done there. I think this money is insufficient. Mr. Speaker, and I would like us to help the Prime Minister's Office with more money if possible. We are approaching independence and, as everyone in this House knows, we have several dangers ahead of us. One of the dangers that has already been mentioned by another hon. Member, is the danger in the

[Mr. Anyieni] ... N.F.D. and Somalia. We also have a secessionist element trying to bring trouble to this country. Mr. Speaker, Sir, if we do not have a strong Army I think, after independence, we may be in dire straits. So, Mr. Speaker, I would have liked the Prime Minister's Office to have been allotted more money so that the people who have been fighting for independence—for example, the people to whom the hon. Fred Kubai referred to the other day, the ex Mau Mau—will be brought forward so that they can be of use to the country. They will then be stopped from forming secret societies and all those who are detained or who are hiding in the forests—there are still many people in the forests—will be able to come forward to do a good job for the country.

I understand that somebody is trying to shout at me but he must know that these people must be given a chance to participate in the running of this country despite their past activities. Mr. Speaker, it is wrong for an Opposition to participate in the running of this Government, and I would like to say that the hon. Member has misled the Abaluhya people to think that if they sit on the Opposition they will gain. The sooner they go the better.

Mr. Speaker, Sir, I would now like to say something as a reply to the statement which the hon. Member, Mr. Pandya, made. He has said more than once in this House that a guarantee should be given that all people in this country will have an equal chance for jobs. In this world one reaps what one sows, and one does not reap beans when one plants maize. So, Mr. Speaker, as the hon. Minister said the other day, the old order was that the African was number three, the Asian number two and the European was number one. The politics of the time when we were fighting for independence was that we would demand an about-turn so that the African becomes number one, the Asian number two and the European the last, number three. But I am glad to say that the hon. Ministers have said that they are not going to differentiate between the races, they are not going to carry out that sort of policy, but they have made it very clear that all people who identify themselves with the needs of this country will have an equal chance. But when we say all people who have an interest in this country, we must remember that some people only say they are interested in the needs of the country because they want a job, and the moment they are given a job they ask for overseas leave. Then when we tell them that we are not going to offer them overseas leave they all want to resign at once, as was the case when the Prime Minister of Uganda

said that the Asians were not going to be given overseas leave. Mr. Speaker, we would like the Asians and the other immigrant races completely to identify themselves with the African cause. Up to this time there have been jobs into which only Europeans were admitted, so much so that even the hon. Ministers were not admitted to them. It is the way to show that all people should be one? If this is what is going to be done, surely people must reap what they sow.

In the Vote for the Prime Minister's Office I see that we have an allotment for officers. I am hoping that when we select people to represent Kenya overseas we are not merely going to select people because they are educated because some of these people may not be very loyal to our Government. I understand that some people have been trained during the time of the struggle to take up foreign posts, and I think the kind of thing we want for these posts is complete allegiance to our Government. So, while we would like someone educated to fill these posts, we would also like to know that this person identifies himself with the African coast when his services are needed.

Mr. Speaker, Sir, with those few remarks, I wish to support the Prime Minister's Vote.

Mr. Kamau: Mr. Speaker, Sir, I rise to support the Vote for the Prime Minister's Office, and to make a few observations. I am glad that the Under-Secretary to the Prime Minister's Office has mentioned the Northern Frontier, which shows that the Government is taking a keen interest in that area. Speaking from personal experience I would inform this House that the Imperial Government turned that area into a remote area in which all the indigenous people who were suspected of anything were restricted or jailed because it was so remote that no one from the down-country could visit it without imperial permission from the Imperialists. When I say that I am speaking from personal experience I would inform the House that I have been restricted for the last nine years, and I would like the Government to show the world that it has taken over the administration of that area by turning it into a paradise where people will go for holidays. They should improve that area with roads and communications of every sort. At the same time I would inform the Government that the people who are living in that area, being Africans, are subjected to wearing flannels and sweaters in the sun and all the time, but any European who is leading the army in the district is subjected to a light kind of clothing. Therefore, would request the Government to consider the uniform of the soldier. They are

[Mr. Kamau] : . . . the people who have served this country so well, but in most cases—I said, in most cases, because sometimes I have seen soldiers, who have been fighting for the Imperialists—the treatment they have received before is still being continued and I do not think that it should continue under our own Government. We must see that our soldiers are given their chance to show the world that they are worthy to represent their country. I would ask the Government to consider most seriously the uniform of our soldiers, and also of our policemen. In the past—and I know that this might not have come to the notice of most of the hon. Members here—the uniforms that have been given to the Africans have made them so ugly, so ugly that, the other nations of the world would not regard them as human beings. I was in the British Army in India and when we reached there, Mr. Speaker, with this ugly uniform I assure this House that most of the overseas soldiers did not like to even look at us. They did not like to stay with us because that uniform—as they used to be called “Kikipierat”—were cut short right up to the knickerbockers, and I am sorry to say that the impression that was given to those people overseas was that these clothes were just tied to our bodies. Therefore, I would ask the Government to see that that kind of uniform which was worn by our soldiers is completely changed so that on Independence Day—which as everyone knows it to be the 12th December this year—they will have a good and attractive uniform so that whoever who comes to celebrate our Independence will know that the Africans have taken over the responsibility of the country, and have the interests of their people at heart. I know that these soldiers in Kenya, wherever they might have been, have given Kenya credit to the world with the services they have done. The Government should give credit to these people and treat them better.

Another suggestion I would put to the Government is about the kind of food that is being given to these soldiers and their families in the army. It is so horrible at the moment, in most cases it is nothing but starch. I would like to request my Government to go into all these things, to see that they are being given decent food and decent accommodation. Some may argue that a soldier is subjected to living a hard life, sleeping on boards and so on, but the thing is that if a soldier is not living in the barracks and has been allocated a certain house with his family the house should be well looked at by the Government. At the same time, in the areas where they leave their children should be provided with adequate education because they are

the future generation of this country. If all these arrangements and amendments are made it will effect our soldiers and they will be loyal to the Government, because they will know that a responsible Government has taken over and that the Government has changed from an Imperialistic Government to a real Government of the people of the country.

Therefore, Mr. Speaker, I have no doubt that both sides of the House will take this as a most important duty of the Government because no country can maintain and have first class soldiers if they are poorly fed, poorly clothed and at the same time poorly paid. I know how much a soldier used to receive in wages and it is up to this Government to see that all these things are dealt with.

Turning again to this Vote, I would suggest that when we talk of Africanization we should really take it with its real meaning. I may say that an African donkey is still a donkey. We might Africanize Patel or John for instance, but Patel and John might still have two loyalties. It is very difficult, Mr. Speaker, Sir, to know and to imagine what an individual is thinking, because it is very hard to go into his or her heart. With this in mind Mr. John may be appointed as an ambassador to China. Well, blood is thicker than water. I would therefore ask the Government to consider very carefully this question. If it comes to the question that we do not have an African capable of filing a post . . . I can say that this will not happen because our Kanu Government has got everybody. If it comes to the question of replacing somebody it will be very difficult. Therefore, Mr. Speaker, it is the duty of the Government to see that in the initial stage of our independence we do not have people who have no loyalty to the present Government and to the country as a whole.

It is also a duty of the Governments—my hon. friends on the other side forget about Kiluyi, Jajuu or anything—to consider the country as a whole. Some people are remarking that some Regions are probably more advanced than others, and some neglected, Mr. Speaker, would you allow me to quote—

—Mr. Ngarar: Mr. Speaker, is the Member in order to wander around and leave the Vote altogether?

—The Speaker (Mr. Slade): The Prime Minister's Vote covers quite a wide field. The hon. Member moves near the edge of it sometimes, but he comes back again quickly to the centre.

Mr. Kamau: Thank you, Mr. Speaker. I was only referring to a very simple example of what

[Mr. Kamau] : . . . happened in this House. A certain area was being discussed and a certain Member said he would not like his people to go to be photographed. Probably if we took a photograph of some kind, that photograph would give us an idea of whether an area is advanced or not advanced and we could be assisted on those grounds. That is why I said I would request my hon. Members to take the whole country to heart instead of considering only a small area because I think it is the duty of our Government.

At the moment—this is also a duty of our Government—we have many people—I am not quite sure of this—who have gone away since the end of the emergency. I do not know if some still remain at large, and they are afraid to come out during the Imperial Government because they thought they would probably be jailed. I think it is time the Government were aware of this situation in the country and declare that on the independence Day it shall forgive everybody, whoever he might be, wherever he or she might be, whether within the country or outside the country. The Government should regard these people as free citizens so that they can come and join these celebrations. I know all these arrangements will cost the Government money and that is why this Vote is set as a test.

Therefore, Mr. Speaker, with these few remarks I support the Vote.

Mr. Mbogohi: Mr. Speaker, Sir, this Vote of the Prime Minister's Office is too small and I would like to give a few points on this point of view. When some hon. Members on the opposite side referred to Africanization in the Prime Minister's Office I would have thought they should have said, instead of Africanization, which is a very wide term, “blackization”. They should have really black Africans in that office. The people that are there now are the people who actually enjoyed the fruits of imperialism, and now they expect to enjoy the fruits of African freedom. Unless these people are Africanized I do not think they can continue to enjoy the fruits of African freedom, plus what they enjoyed under the Imperial Government. There was a time in these offices when the *bwana* and *members* were in charge of every job.

—The Speaker (Mr. Slade): Order, order, Mr. Mbogohi, you have overlooked the rule that you must not pass between the Speaker and the hon. Member who is speaking. You should go round, or adopt the convention of bending low.

Mr. Mbogohi: Mr. Speaker, at that time we used to go and look for jobs and then somebody

would be told that there are too many *members* without jobs and therefore you cannot get work. When we consider this case, we find that the offices have been filled with people who were unnecessary in the past and who were just pushed in.

Dealing now with the army, we have learnt from experience that in colonial countries, when they become free and the imperialists governments have left the country, they engineer difficulties and another bordering country comes in to attack. For example, we have seen what happened in Israel; when they were left, the Arabs all around came in and attacked. Therefore, I would like to see that this Vote on the army is increased so that we can defend ourselves from everybody who wants to attack this country. There is the case of the Northern Frontier which is still pending, where the Somalis want to take something. At the same time, there are the coast secessionists who are always trying to secede from this country, so if we had a good army we could always tell them to keep quiet.

With regard to the uniform of these people, we have seen that the tribal police and the other police do not have a proper uniform, because when it rains it is difficult for them to keep themselves dry. They always wear flannels whether it is hot or cold, and they look like dead people wearing those things. These are some of the things I have heard about people in the army; whether they are true or not, I do not know, but I would like these to be included.

With regard to housing allowances, I have always wondered what these houses are there for. I have seen some hon. Members looking for houses but they do not get houses which are being rented. I will leave that to the Ministry for them to see what is happening. The army houses are very bad, when you remember people like the policemen who always clean their houses, say, at the week-end. When the man comes round to inspect these houses, he must see that everybody is out of the house, including the family. You see them basking outside when it is hot; sometimes when it is raining you see them outside because they are not expected to be in the house. I am beginning to wonder if that is how the army should be treated.

There is also the question of home leave and passages in connexion with this department. For example, in the Vote on the Prime Minister's Office, I have seen a Head devoted to passages. I would like to see this item completely done away with because all the people employed there are Africans who should take their leave in

[Mr. Mbogoh] Africa; they should take their leave in Kenya and spend any money they have in Kenya, rather than wasting their money overseas.

With these few remarks, Mr. Speaker, Sir, I beg to support.

Mr. Gatigata: Mr. Speaker, after so many speeches by other hon. Members I have not got much to say on this Motion. There is only one point I wish to talk about, and that is in regard to the composition of the army and the police. I understand that the army and the police consist mainly of Kalenjin and Wakamba people. If we are to spend a lot of money on defence and the police, it is only just that it should be fairly distributed to the public of this country. I am not thinking in terms of tribes; I do not want to be misunderstood on that. I am saying that recruitment for the police and defence of this country should be based purely on merit and not on the feeling that we should only have these particular tribes. No one can convince me, Mr. Speaker, that only the Kalenjin and the Wakamba can serve in these two forces. I would ask the Parliamentary Secretary, when replying, to indicate whether in future it will be the policy of this Government to recruit people for the army and the police purely on the basis of merit and not of tribe.

I do not wish to say more than that, but I wanted to bring this point out as no other hon. Member has mentioned it and it is important.

Mr. G. G. Karikhi: Mr. Speaker, Sir, I rise to support the Vote of the Prime Minister. I am not going to repeat what other speakers have said, but I just want to remind them of one point they have forgotten concerning army training. There are many people who should not be forgotten when the Government begins to create the new army, especially those who were fighting during the Mau Mau war. There are many people, Mr. Speaker, known as generals, and I would request the Government not to forget them, to give them a chance in the army so that they can take part or specialize on jobs.

Mr. Speaker, Sir, I do not want to say more because much has been said by other speakers, but I did want to ask the Government not to forget these people.

The Minister of State for Pan-African Affairs (Mr. Koinange): Mr. Speaker, Sir, I only want to say two or three things regarding the points raised by hon. Members on the other side of the House.

With the permission of the Prime Minister, I wish to say that the consultations which have been taking place both in Cairo and Ethiopia have been quite successful and very friendly discussions on mutual points which, I believe, in the end the whole House will be happy to hear about. Discussions are still taking place and, as such, we cannot at this stage raise more points or give more information on this question, other than to say that the discussions have been friendly, and that the result will soon be given to the House.

The second point I want to bring up is that this Government is about one month and two days old and on both sides of the House questions of mutual interest have been raised many times, but questions of policy—of where and how we stand—are still not yet formulated by the whole House in general. I am referring particularly to the question of Africanization. When I personally refer to the question of Africanization, I merely have this definition: that the people who live in East Africa, if it comes to a question of a Federation, and those of Kenya in particular who have identified themselves totally with the whole programme of work of the country, are members of this country, they are citizens of this country. For that reason, we cannot say that the question of maintaining secrecy is the monopoly of any one single person, but of all the citizens of the whole of Kenya. I would say to the Members of the Opposition that it was one of their Members who originally stated that the Prime Minister's Office should be run exclusively by Africans; it was one of their Members who started on that subject. However, what we are saying is that when we have two citizens of the country, the question of colour does not come into it; keeping the secrecy of the State is not the monopoly of any single colour or creed but of the people who are bound by the spirit and work of the country. Therefore, we only consider the points of merit rather than the question of colour.

I agree with the point of actually checking on the people who are mobilized to do the work. I see that the Members of the Opposition appreciate what has at least been done by this Government. We are getting out this programme of recruiting so many people to fill all the vacancies. I do not believe that officers from Kenya will necessarily have junior posts because after some discussion people will take into consideration the fact that there are civil servants of other places and will consider their merits and experience. From the educational point of view we may say that on the whole Kenya has gone a little further in their recruitment than the people of Zanzibar, Tanganyika and elsewhere. We have more students studying overseas, and on that basis if

[The Minister of State for Pan-African Affairs] the question of merit does arise I do not see how the people of Kenya can be relegated to junior and secondary posts.

We then come to the question of the flag. The Independence Celebrations Committee is now busy working into all the aspects of the national flag including the financial side to the national flag. When the Kenya Government asked Her Majesty's Government to fix the date for Independence, which we all know to be 12th December, they did so on the clear understanding that all matters regarding the celebrations would be handled by them in the best way possible.

Since I want to give my colleague the chance to answer some of the points raised, I would like, Sir, to support the Vote on the Prime Minister's Office. I do not want to deal with the questions, which were actually answered here by one of my hon. friends, about the officers in the Prime Minister's Office.

Mr. Speaker, Sir, I beg to support.

Mr. ole Obolikipili: Mr. Speaker, Sir, I am not going to be tribalistic, but I feel I must speak in the interest of my own electors and of Kenya as a whole.

Mr. Speaker, I have just heard Members from the Government side saying that the present Kenya Army is composed of only two tribes: namely Kalenjin and Akamba. This actually might be tribalistic, but I was a soldier during the last war and found that members of the tribe from which some hon. friends come—say, Kikuyu—were running away from the Army. I do not see any reason why they should come here to the House and say that this should not be composed of the two tribes, because they were not soldiers even before. They claim today this is their Kenya. It is because the white man came here and gave them plenty of chances and defended them, but it is well known that Kenya was the country of the Masai, Kalenjin and other tribes, not the Kikuyu.

The Speaker (Mr. Stede): I do not think we should go further on this line.

Mr. ole Obolikipili: Mr. Speaker, I wanted to speak on the recruitment of soldiers into the King's African Rifles or the police force. In my own constituency of Kapjido, we have more who are willing and have been willing, to join the Kenya forces, but when we bring them forward for recruitment only very few of them are taken. I may do not know the reason for this. It is known that Masai are very brave and probably the army have been neglected in previous days,

but nowadays we have many who are hunting for jobs and we have advised them that they will do better if they become soldiers, because they were soldiers before. However, when we bring them forward, Mr. Speaker, they are neglected.

We did not know the reasons for this. Since we are now so proud that this is an African Government, we should like to know the reasons why these Masai, the dynamic fighters of Kenya, the rulers of East Africa before, are not included. We are therefore demanding from the Government what we did not get from the Colonial Government that the Masai Morans should be recruited in the Army. I think that you would find that they make the best soldiers in the future Army of Kenya. I think it is high time that such people should also be given a chance to come forward and progress. They have been neglected by the Colonial Government. They were told by the British people recently that they were a good people, but that they should remain as they were. We have come up several times wanting a change like other Kenyans, but the result is that our people are still neglected. I do not know whether the African Government led by our friends the Kikuyu are afraid to recruit more Masai in the Army. The Masai Morans, the Kalenjin Morans, and Wakamba fighters should get more room in Kenya's Army. If they do this they will find that they have better soldiers.

When the Motion on the Northern Frontier District and the Turkana was raised the Prime Minister told us that his delegates had visited various countries for the security of the Northern Frontier District people. But we had no report of this. When shall we have an official report? We will not accept the Government's reply of "wait, wait." All the time that we are waiting people in the Northern Frontier District are being killed, both day and night. We should like to have an official report before we go to the Conference in London. I think also it would be a good thing if they could give us this report today or tomorrow. We want to know the discussions that took place in Ethiopia. We are interested. When the Government keeps all this from us then we shall suspect that there is something going on underground. Some other arrangements Kenya should know what the report has to say. We do not want to be told to wait. The same applies to Pafneca reports. When the country hears the official report then the country will know what the delegates went for and the people will not suspect anything else. The Minister who has just spoken ran away during the Emergency to Pafneca. He should let the country know why he did this.

Mr. Kamsu: On a point of order. Is it in order for an hon. Member to infer that a Minister went on a mission for another purpose other than was given officially?

The Speaker (Mr. Slade): It is in order for hon. Members on the Opposition side to press for early reports of what is being done by the Government. They are entitled—I will not say they are justified—to say that delay has raised suspicions. They have to be careful in the suspicions that they raise, but that line of argument is allowed.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): On a point of order. Is it in order for the hon. Member to charge the hon. Minister with running away, when he, the hon. Member knows the facts? The Minister was declared to be a prohibited person by the previous Government.

The Speaker (Mr. Slade): Yes. Mr. Olointipit, you must not make offensive remarks about another hon. Member.

Mr. ole Olointipit: Thank you, Mr. Speaker, if I did that then I withdraw my remark. But my hon. friend is also making a mistake by saying "arranging" he should say "alleged". That is a very simple word.

Mr. Kamsu: On a point of order. Is "alleged" in the vernacular, or is it in a foreign language?

Mr. ole Olointipit: Thank you, Mr. Speaker, as other Members may wish to speak, I beg to support. But I would like to end by saying that the Masai should have a chance to be recruited into the Army.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, Sir, I want to make one point. I think we are displaying some very low convictions in this debate. I think that we should make our position quite clear. We are here—and the Prime Minister has said so time and again—to build a nation. Our nation must be built from the many tribes, races and communities that we have in this country. We are bent on encouraging one loyalty in this country. We want one loyalty to the nation. When we move on—as we all hope, that we do—we want that loyalty to be to an East African Federation, to a larger national unity. I think it is out of order and petty for hon. Members—no matter what side they represent—to stand up and ask the Government to employ in the army, or in any other job, members from particular tribes or from particular communities. What they should ask is

that the jobs should be done by the qualified people. In recruiting the people for these jobs, we should not as a Government be asked to have regard for tribal or racial aspects. If we continue with that trend of thought then I think that we are leading our people astray, away from the direction of building one nation. I know that when my colleague replies to this debate, he will explain what his particular office intends to do. When we have discussions—as no doubt we will have—on some other jobs, and their training and so on, let no one bring us back to this talk of my tribe is neglected, my region is neglected. Mr. Speaker, there is no question of this Government neglecting any tribe. What is more there is no question of this Government allowing any fields of employment to be exclusive to any one tribe or group. Indeed, Sir, we would be a very weak Government if we were to accept that a given community because of some nebulous history which he cannot substantiate, should be still qualified in this 20th Century to be called brave and to be given a monopoly of something.

Indeed, Mr. Speaker, I am disgusted to think that the hon. Member could stand up in this House and charge a whole tribe of being cowardly, the whole tribe as being no fighters, the whole tribe as having been subjected by other tribes, all of which, of course, the hon. Member knows nothing at all having read no history and merely living by folk lore. If the hon. Member did read some factual history—

The Speaker (Mr. Slade): Mr. Kibaki, I stopped Mr. Olointipit on that line. Please do not pursue it.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, Sir, I will now stop at this point. I only wish to stress the point that in this debate we shall be greatly helped if we do not charge various entire communities with any evils or virtues and the merit.

Mr. Speaker: Sir, I would like to emphasize one other point which has been made but can bear repetition. It has been mentioned here by some Members that to employ members of various tribes or racial communities in certain jobs might not be proper because their loyalty might be questionable. I think it needs to be said quite frankly that the Kenya Government will give priority to Kenya citizens of whatever race or community. The question of loyalty should therefore not be linked to racial or tribal communities because if we do that we have defeated the whole purpose of calling Kenya one nation. Indeed, it is well known that among those who are presently

(The Debate continues)

(The Parliamentary Secretary to the Treasury) being trained for the Foreign Service of this country there are people from the various races and tribes of Kenya. If the hon. Member on the opposite side does not know the true facts it is always open to him to question the various Ministers and he will be given all the details.

I must now explain one point which no doubt has been raised and will be raised again. That is the problem of the supernumerary posts which figure in this Vote. What is happening is that we have some civil servants who retire and take their six months' leave pending retirement. During the period when they are on leave technically they are still employed by the Kenya Government. During this same period people are needed to take their jobs and that is why the term "supernumerary" is used. Alternatively, you may have an African, an Asian or any other young Kenyan who comes straight from school and has not had previous experience to take over the job. Consequently during the period when he is being trained we permit the holder of the post to continue to hold it and to give whatever instructions are necessary to the recruit. These supernumerary posts are therefore directly related to our programme of localization and training and this point needs to be made very clear.

Many Members have said that this Vote ought to have been increased. They may be right, but I think if they will be patient and read through the whole Estimates they will see that all the various services that they would like to see provided are in fact provided for under the various Heads in these Estimates. Therefore, Mr. Speaker, Sir, we have not neglected any of the services that really should have been included.

The question of organizing what service should be handled by which Ministry is the responsibility of the Government and has been very well done.

Thank you, Mr. Speaker.

Mr. Kibaga: Mr. Speaker, Sir, I feel that most of the points concerning this Ministry have been raised and I shall therefore only speak on a few small points which have perhaps been neglected.

First of all, I would like to say something about Africanization. Some people have gone as far as calling it "blackization". This is a field in which we need to be most careful indeed because the very fact that we have a black face in a certain office does not necessarily mean that that person is loyal to the Government. We must aim at employing the people who are loyal to our new Government, the African Government. Despite the fact that some people may be of European or Asian origin they must be employed, but at the

same time we must make certain that these people are loyal to the Government. We know, for example, that even during the time of the British Government when the Europeans were against our being given independence there were some of our people who were employed by that Government and were opposed to the idea of independence being granted to Kenya for a long time. Therefore, to suggest that we must only have black faces in the new Government, regardless of whether they are loyal or not, must be carefully considered.

It has been said, Mr. Speaker, that the Colonial Government only promoted their good boys and those who were left unemployed were those who were left unemployed towards nationalism. We must therefore have a commission of some sort in order to check on the Civil Service and see that fairness is done and that no person has been neglected because of a former record. If cases are deserving of promotion then this promotion must be granted without delay.

The present Government must also look into this question of the official report of the way of independence, which is commonly known as *Maa Mau*. We are aware of the fact that the Colonial Government issued a distorted report to the public and I think it is high time that this Government—the African Government—should appoint a commission to look into the details of this report and correct the facts immediately. This should be done before we attain independence in December so that the nation will know the true position.

The other Africans would like to know exactly what was being done in Kenya, because of the distortion of facts by the Colonial Government these things must be corrected. The Army fighting for the country was loyal to African nationalism, and we must do something to show how grateful we are. One thing which we must prepare for, is that during the independence celebrations, the present Government should arrange that the soldiers who fought in the forest are given a chance to display their loyalty to the country. I would support this idea raised by one Member of the Opposition side that we should not have two offices in London; one for the diplomats and the other one for someone else. I think we should have one office, and it should be under the diplomat who is a political figure.

While thinking of the Civil Service, if we look into the matter very carefully, we will find that we will be able to save the money provided to some of the Departments. We are likely to find that there are some people within the Department who are not really doing jobs, but just marking

[Mr. Kibuka]. When Uganda became independent, I learnt that a commission was appointed to go into the matter in detail, and to find out whether it was necessary to abolish some of the unnecessary posts. I think our Kenya Government, which has been delayed for a long time by the Colonial Government, should check now that we do not have unnecessary debts due to employing some people who should not be employed.

When we come to the question of the Civil Service, I would like to pay special regard to the work being done by the police in the country. It was only recently when the police, in the Central Province, who were fighting against the people working for African nationalism, but within a very short time the police had tried to learn the job, and most of them now know how to behave and the public trust the police, and know that the police are necessary. In the other departments, especially in the Administration, I think this Government, the first African Government, should see that the same spirit of the public officers follows the same pattern as the police. If we look at the Army I think there is still some Colonial mentality within the Army, because you find that the treatment to the Africans, Asians and Europeans is still different. We must have

one Army, and everyone should be given the same treatment, and privileges. When we think of the people who have been working for the former Colonial Government, and because they find that the African Government is taking over, some of them decide to leave. Well, I think we should not keep them any longer than they are required in the country. If someone has decided to go, because he does not accept the African Government, I think arrangements should be made immediately so that they do not have to wait for six months until the job is taken over. He should be given a chance to go quickly. It is even better to have a less-qualified person who is interested in the country, than somebody who is there for six months and seeing things go wrong so that the Colonial Government comes back to the country.

With these few remarks, Mr. Speaker, I beg to support the Motion.

ADJOURNMENT

The Speaker (Mr. Slade): It is just on time for the interruption of business, the House is therefore adjourned until Tuesday, 23rd July, 1963, at 2.30 p.m.

The House rose at thirty minutes past Twelve o'clock.

Tuesday, 23rd July, 1963

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

NOTICE OF MOTION

ASSISTANCE FOR ORPHANS AND WIDOWS

Mr. J. M. Karuki: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House, being aware of the difficulties facing those who became orphans or widows or were disabled by activities arising from the eight years of the State of Emergency, urges Government to take suitable measures to assist these persons with jobs and other facilities.

ORAL ANSWERS TO QUESTIONS

Question No. 32

PERCENTAGE OF PROVIDENT FUND CONTRIBUTIONS

Mr. Mallanda asked the Minister for Education: What percentage of the Provident Fund Contributions has so far been paid out and how much is still outstanding?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to reply. By Friday, 5th July, this year, nearly 73 per cent of the estimated number of teachers due to receive refunds of the Provident Fund Contributions had been paid.

The first instalment of the refund consists of the repayment of 50 per cent of the teacher's own contributions plus interest which were standing to his credit at the 31st July, 1962, and 50 per cent of any employer's contributions to a Provident Fund which were standing to his credit as at the 31st December, 1955, the day before the African Teachers Pensions Fund came into being.

As the explanation dealing with the operation of these refunds, Sir, is rather long, I will, with permission, issue a statement in the form of a written reply for publication in HANSARD.

This method of payment was suggested by the Kenya National Union of Teachers after the Government had conceded that teachers who had contributed to provident funds should receive, in accordance with the rules of such funds, the refund of the whole of their employers' contributions. It had previously suggested that employer's contributions to provident funds only should be refunded and that employer's contri-

butions to the Pensions Fund should remain in the fund. The teachers would then have been paid 50 per cent of their balances and would have received some measure of back-dating of their Government free pension rights.

The Union, however, requested that all employer's contributions should be refunded to those teachers who had contributed to the old provident funds, and the Government accepted this view. This added some £405,000 to the amount due to be refunded but since the amount of money available had not increased, this would have reduced the amount which could have been repaid to each teacher from 50 per cent to 37 per cent. It was, therefore, agreed that repayment should be made on the basis of the original offer so that no teacher would receive less than his original expectation from the first instalment.

The amount being paid in the first instalment is £580,000 or 37 per cent of the total amount estimated to be due to be refunded of £1,565,000.

On completion of the first instalment an amount of £985,000 or 63 per cent of the total sum due will remain to be paid.

The assets of the Pensions Fund which will be available to meet this liability when the present payment is completed total some £2,033,000 of medium and long term Kenya Government and East Africa High Commission stocks. However, in view of the present state of the stock market these stocks cannot be expected to realise anything near their face value; their present market value is about £1,187,000. But the placing of large quantities of stocks on the market would only result in depressing, still further, the prices which we could expect to receive. I am, therefore, unwilling to try to dispose of these stocks at the present time as this would involve the African Teachers Pensions Fund in considerable losses. There are, however, distinct signs that the market for gilt-edged stocks of this nature is beginning to revive.

The need for the disposal of the stocks holdings is not immediate as a considerable amount of work will be necessary on completion of the first instalment before the payment of a second instalment commenced. The payment of the first instalment was commenced in a hurry and it will be necessary to verify all the balances due to all of the 13,750 teachers and to refer the payments to some 6,000 teachers to the Income Tax Department for assessment of income tax before payment of the second instalment can begin. I do not anticipate that this can be completed before the end of the year.

Mr. Malinda: Would the Minister assure this House that the delay in not completing the repayment of this Provident Fund is not due to lack of funds available for this purpose in Government?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I can assure the House that the reason why the payment has not been completed is physical, in that it is impossible for our staff to carry out the necessary calculations in the short time available. As I assured the House the other day, the first instalment will have been paid by the end of August. As for the other payment, I should say that funds have not yet been allocated, because they are in stocks and have not been sold.

Question No. 40

EMERGENCY MEASURES AT NDATHI VILLAGE

Mr. Wamunthanya asked the Minister for Justice and Constitutional Affairs: Is the Minister aware that forest squatters of Ndathi Village, West Kenya Forest Reserve, are still surrounded with barbed wire and that they are still being subjected to Emergency measures?

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamwaya): Mr. Speaker, Sir, on behalf of the Minister for Justice and Constitutional Affairs, I beg to reply. The question is not very clear to us. The questioner speaks of these people being subjected to Emergency measures. Emergency measures is a wide subject. I do not know whether the questioner was talking of the Emergency Regulations which are not in operation at the present time. The Emergency powers cover 18 principal Ordinances which were revised or amended during the period of Emergency to cope with the situation at that time, as well as 30 different legislations of Emergency under the Emergency Powers Order in Council, 1939. From the question, Mr. Speaker, it is apparent that the questioner had in mind the fact that the village he mentioned in the question is surrounded with barbed wire. Perhaps that is what he meant by "Emergency measures". The answer to this is very brief. Under the Forest Ordinance, the Minister may make rules to govern occupation, residence or commercial activities or for industrial purposes of any forest area. This area mentioned in the question is covered by the rules made by the Minister under the Forest (Controlled Entry) Rules. During the year 1962 a number of illegal squatters entered the Ndathi

Village and as a result the Forest Department who had declared this a closed area under the Forest Ordinance, made several attempts to get these people moved from the area. Some thirty-eight men were convicted under the offences dealt with in this Ordinance; twelve of them were convicted twice and their sentences were suspended. They did not leave the village and they were later sentenced to pay a fine of Sh. 100 each and in default to two months' imprisonment. Two police constables were attacked in the village and seriously injured during 1962. The situation has improved since November/December last year and with the help of Government transport all illegal squatters in that Ndathi Village were removed to the reserve. The barbed-wire fence which the hon. Member mentions in his question was placed around the village to demarcate the closed area in accordance with the rules I have already mentioned, and also to help the police when clearing the illegal squatters. There were no complaints from the residents until the hon. questioner spoke to the Conservator of Forests (East) on the 28 July this year. Arrangements were then made to remove the fence which had already served its purpose. This has already been done and there is nothing more which can be done.

Mr. Wamunthanya: Mr. Speaker, Sir, arising from the answer of the hon. Parliamentary Secretary, I am going to point out to the House—

The Speaker (Mr. Slade): You must ask a question, not make a speech, Mr. Wamunthanya.

Mr. Wamunthanya: Is the Parliamentary Secretary aware that the barbed-wire fence, has been removed but another one has been put in made of wood. There was barbed wire, but now a wooden one has been laid there and it is around the same village. The same measure, of brutality, law is being implemented on African squatters who are living in Ndathi at the moment.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamwaya): Sir, the Government is not aware of any other fence which was put up after the barbed-wire fence has been pulled down, and I assure the House that no brutal measures are being perpetrated on these illegal squatters.

Mr. Makori-Umbao: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply in which he said that the situation is now improved, could he tell the House when he is going to open this forest?

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamwaya): Mr. Speaker, Sir, the rules governing the entry

[The Parliamentary Secretary for Justice and Constitutional Affairs]: The Minister concerned, and they are made by the Minister concerned, and they are made for the interests of preservation of our forests which are one of our main national assets. It is a matter for the Ministry which deals with forestry in this country to see as an when it is convenient to modify the rules governing the entry to this forest.

Mr. Khasakhala: Mr. Speaker, Sir, could the Parliamentary Secretary tell the House whether these squatters have been settled somewhere, to ease the problem.

The Speaker (Mr. Slade): I do not think that is relevant to what is happening in Ndathi village.

Question No. 53

CLOSING OF WOMEN'S COMMUNITY CENTRE

Mr. Pandya, on behalf of Mr. Omar, asked the Minister for Labour and Social Services: Is the Minister aware that the women's section of the Kilifi Community Development Centre is having to close down due to lack of funds?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I beg to answer.

This really is a matter for the *Majimbo* Government, but since the *Majimbo* Government does not seem to know its work, I beg to reply.

Yes, the Government is aware. Owing to the unsatisfactory state of the finances of the Kilifi County Council, due to the non-payment of rates, a recently appointed special local committee was set up to consider ways of reducing expenditure. As a direct result of the necessity to be realistic about the present financial difficulties of the County Council it was decided to reduce some of the services which included the closing down of some dispensaries, and a reduction in the establishment of community development personnel employed by the Council.

Unfortunately, this reduction included some paid women's club leaders, and as a result the Kilifi women's club activities have slowed down.

The situation cannot improve until more people pay their rates to the County Council.

Mr. Murgor: Mr. Speaker, Sir, could the Minister tell the House whether the Government paid their own share first?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I think the Member knows that before the Central Government pays a penny to the local authority the local authority must pay its share first.

Mr. Khasakhala: Mr. Speaker, Sir, could the Minister tell the House how much would the local authority be required to pay and how much of the required amount was to be paid by the County Council at the closing of this Community Development Centre?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, let me put the hon. Member in the picture. The position of the first quarter of the year was that only 1,500 people had paid their poll tax. He can calculate how much that is. The state of rate income for 1963 is based on 30,000 ratepayers which is a conservative figure when you compare it with incomes in 1957 and 1961, when 35,000 people and 42,000 people paid their poll taxes.

Mr. Murgor: Mr. Speaker, Sir, does the Minister agree with me that all the grants and all moneys which come from other people has been paid to help the Kaniu Women's Youth Wing?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I am not aware whether any Government money has been used to help the Kaniu Women's Youth Wing. If the hon. Member can tell this House we shall also be prepared to listen and investigate.

Mr. Pandya: Mr. Speaker, Sir, does the Minister suggest that the Central Government has no responsibility for running this Kilifi Community Centre?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I am surprised to hear the hon. Member, who is an advocate, talk like an illiterate person. The Central Government—

Mr. Murgor: On a point of order, Mr. Speaker, is the Minister not imputing the hon. Member with a false motive?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, the hon. Member knows very well that the Central Government has a share to pay but only when the local government has paid its share does the Central Government come in.

Mr. de Tiple: Mr. Speaker, Sir, do we understand from the hon. Minister that this Government is prepared to see a decline in the essential services if the local government is not in a position to pay these rates?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, this is a true proof that *Majimbo* will never do anything in this country. Therefore, I ask the hon. Member if the

[The Minister for Labour and Social Services] Majimbo Government has failed to do its duty could he please ask the Majimbo Government to hand over its authority to the Central Government.

Mr. Murgor: Mr. Speaker, Sir, arising from the previous reply from the Minister. The Minister has told us that about 1,500 people have paid their rates. Could he tell us now whether the grants have been paid on the lines of those paid to the Kilifi County Council?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I do not understand what the hon. Member has been asking me. Is he asking me personally whether I have paid my poll tax? Could he make himself clear.

Mr. Murgor: Mr. Speaker, can the Minister tell the House that the Government has paid the grants to the Kilifi County Council on the number of the 1,500 who have paid their rates.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I did not say 15,000. I said 1,500. Would the hon. Member leave it to me to state correctly what I have to say?

If, Mr. Speaker, 35,000 people have failed to pay their poll tax—only 1,500 have paid—the proportion which the Government has to pay is so little that even if it is paid nothing can be done.

Mr. Khasakhala: Mr. Speaker, Sir, could the Minister tell the House when the powers of the Kilifi Community Development Centre were handed to the Regional Assembly?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, the Majimbo Constitution started to work on the 1st June this year. If the hon. Member does not know that will be come to my office and I will give him all the details.

Mr. Khasakhala: Mr. Speaker, Sir, arising from the Minister's reply. Could the Minister state clearly whether it is the failure of the region concerned in collecting this tax or his own Government?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I am very surprised to hear the hon. Member who does not know exactly that the work of collecting poll tax lies with the local authority which he calls Majimbo. It is not the Central Government.

Mr. Khasakhala: Mr. Speaker, the Minister has not replied to my question. The question is, was

the power to the Regional Assembly on the 1st June? Is the Minister in order in saying that the money which was due before that date was paid for the running of the Kilifi-Community Development Centre.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, my duty here is not to explain to the people what is already done—

The Speaker (Mr. Slade): Order, order. Your duty is to answer questions.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I have already answered that question.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, on a point of order, are you correct in saying it is up to the Minister to answer questions? Am I not correct in saying that a Minister need not answer if he does not want to?

The Speaker (Mr. Slade): That is perfectly right, but if the Minister wants to get up and talk he should talk by way of answering a question. It is quite true that a Minister can refuse altogether to answer a question, but his right of speaking at question time is limited to answering questions, without unnecessary preamble.

We have had enough now of this question.

NOTICE OF MOTION ON THE ADJOURNMENT

DISCRIMINATORY REGULATIONS REGARDING UNIFORMS

The Speaker (Mr. Slade): I would remind hon. Members that Mr. Muliro is to raise on the Adjournment today the matter of the Question No. 44, which dealt with sisal production by African farmers. I would also inform all hon. Members that I have received notice from Mr. Anyieni of his desire to raise on an Adjournment the matter of discriminatory application of section 4 of the Public Order Ordinance, 1962, with regard to wearing uniforms, public marches, flags and choirs and I will allot next Tuesday, the 30th July, at the close of ordinary business, for that matter to be raised.

BILLS

First Readings

THE LAND AND AGRICULTURAL BANK (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow.)

THE DAIRY INDUSTRY (AMENDMENT) BILL
(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow.)

COMMITTEE OF SUPPLY

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 6—PRIME MINISTER'S OFFICE

(Resumption of debate interrupted on 19th July, 1963)

Mr. J. M. Kariuki: Mr. Speaker, Sir, I rise to congratulate the Parliamentary Secretary to the Prime Minister's Office for the way he presented the Vote to this House.

I do not intend to repeat what has already been said by other speakers, but there are a few points which I would like to raise in connexion with this Vote. Heretofore the Administration lay in the Prime Minister's hands. When the Parliamentary Secretary was speaking, he mentioned that there are very few African Government agents, as they are called at the moment, in Kenya. I would like to say that those figures mentioned by the Parliamentary Secretary are completely inadequate. This, Mr. Speaker, is very simple. If a district officer has been working with an expatriate for more than three years, I do not think there is any justification whatsoever in saying that that district officer is not qualified, if in actual fact the district commissioner or expatriate was keen to train his subordinate officer to take over the job and if the training was, not like that of a man teaching a pupil to ride a bicycle with the pupil pushing this master or teacher, so these people must be very clever and able to deal with the Administration affairs. Therefore, when the Parliamentary Secretary replies on this Vote we would like him to explain to the House what the Government's intentions are to see that those district officers, who have worked with expatriates for more than three years, are promoted to take such jobs in Kenya.

In this connexion, Mr. Speaker, I would like to mention something about my constituency. It is one of the new districts established by the Regional Boundary Commission, and those Members who were in this House know that it is as a result of the new Constitution. At the moment, I understand that the constituency does not have its new headquarters, and that Sh. 100,000 are going to be used to build temporary headquarters.

Thomson's Falls town, which is just near my constituency, was not put in it by the Regional Boundary Commission, and it is going to cost the Government Sh. 100,000 to build temporary headquarters for my district. I would like to know, when the Parliamentary Secretary comes to reply, whether there is any intention of using the present new town of Ol Kalou instead of building another headquarters for the Aberdares.

The other point I wanted to make, Mr. Speaker—

The Speaker (Mr. Slade): Order, order, Mr. Kariuki. Does this come within your Vote, Mr. Chanan Singh?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chamaa Singh): No.

The Speaker (Mr. Slade): You must keep to matters which come within the Vote of the Prime Minister's Office.

Mr. J. M. Kariuki: That is within another Vote. I only wanted to mention that point.

Another point I want to make—I do not know if this falls in the Prime Minister's Vote—concerns the fact that so many people have qualified in the last few years as good administrators in foreign countries and when they returned to Kenya they were employed in the big industries such as Shell Company, and so on. I would like to know if the Government has any intention of taking those people with good brains who would like to serve in their own Government. Does the Government have any intention of employing them and training them in foreign countries, because they have good brains and can contribute something to this country in the future. When the Parliamentary Secretary replies, I would like him to tell me whether there is any move to take these people soon who want to contribute something to this country.

Another point I have, Mr. Speaker, concerns foreign affairs. This is rather more difficult than most of the speakers here made out the other day. For example, if a person is trained in Washington, he is, of course, acquiring the mentality of the Americans, their way of life, etc. If we really want to train our diplomats and if we really mean business in doing this—there are independent African countries. I think the Office of the Prime Minister should encourage more of our educated people, who are leaving Mkerere or other places to go for training in African countries which attained their independence many years ago. There is Ethiopia, Ghana, Nigeria, for example,

[Mr. J. M. Karikaki] and there are other independent countries in Africa, to which these people could go to be trained. Mr. Speaker, I do not intend to say that if we send people to England to be trained they will not be qualified; that is not in my mind. They can go there as well because we want to know more about such countries, but at the same time we must see that we have people trained in African countries. (Later on, when they are all qualified we can mix those who were studying in New York, those who were studying in African countries and those who were studying in Europe and eastern countries. We can mix them together; you will find that when you mix green, yellow, black and white, you get the right answer, and it will be better than relying on training diplomats in one country.)

Mr. Speaker, in this connexion I would also like to mention something about the police. I do not know whether I shall be out of order if I do so. In this regard, one cannot fail to talk about their training in this country. The police are trained at the Police Training School, Kiganjo. To be promoted from the inspectorate to high ranks they undergo a course at the Police Training School, and at the moment I understand they are attached to the Higher Training Wing. This course is a specific attempt to take uneducated policemen for selection for candidates to the higher ranks. These poor officers are forced to spend hours listening to extracts from newspapers, something about Laos, something about the Common Market. This is very serious, Mr. Speaker. Instead of being trained to defend this country our people are being given more lectures about Laos, about the Common Market, and so forth. Are we interested in these things, or are we interested in defending the country? I think the Parliamentary Secretary should know about this and should try to find out why it is that the people at the Police Training School, Kiganjo, are being given this type of training instead of what they need for the police work.

Another point I have is about local government. I understand they are taught something about local government and the law. I quite agree they should be taught the law, but I do not know what they are being taught about local government. I understand they are taught more about local government in the United Kingdom, but this is not the United Kingdom. This is Kenya.

With regard to Africanisation in the police force, the pace is irritatingly slow.

Mr. de Tilly: On a point of order, the hon. Member has dealt with the police, with local

government. Have these anything to do with the Vote of the Prime Minister's Office?

The Speaker (Mr. Slade): Mr. Chanan Singh, I am not very clear on what your Vote covers now. Do these come into it?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Chanan Singh): Mr. Speaker, Sir, Police and Defence are covered by other Votes, not by the present one. Those other Votes are also controlled by the Prime Minister's Office. Quite a number of hon. Members have discussed Police and Defence and I propose to reply to them. Otherwise, I had made it clear in my opening speech that these two subjects would not be discussed on the present occasion. Localisation and Training are within the present Vote. Local Government, however, has a separate Vote.

The Speaker (Mr. Slade): The Vote we are discussing is the Prime Minister's Office. I think even at this late stage we had better get back to within the Vote and leave this alone.

Mr. J. M. Karikaki: Mr. Speaker, am I correct in dealing with this subject?

The Speaker (Mr. Slade): No, I am afraid not.

Mr. J. M. Karikaki: I will leave that at the moment, Mr. Speaker, and I can deal with it at a later date, because there will be another Vote for Police. I thought that this came under the Prime Minister's Office, and that was why I mentioned it. If it is not to be discussed under this particular Vote, I will leave it at the moment and will deal with it later.

Another point is about the Ministry of Pan-African Affairs. I do not want to dwell on what other speakers have said, but I have a few things which I would like to say. I believe that ninety per cent or more of the African people know what the words "Pan-African" mean, even more than what they know about the Leader of the House. In this country there was a Ministry called the Leader of the House and wherever you go people do not know what the Leader of the House means. Some of you have different translations, some of you will say that the Leader of the House can be found at home. But this Ministry is the one which will acquaint African people with the one which will acquaint African people with the other countries in the world. I think that it is very vital to have this Ministry. I also think that the Ministry has too small a staff and that the Minister concerned should be given more staff than he has at the moment. We are facing independence soon and consequently there are a lot of things to be done before we attain it and all

[Mr. J. M. Karikaki] this comes under the Ministry for Pan-African Affairs, so the Minister should have more people working with him to accomplish these things.

I would like to say something here. If you look under Head G, you find that there is Kenya Office—London, and in J, it is "Diplomatic Representation Overseas." £100,000 has been voted for these Heads. I think the money should be used for the training of African people for military purposes in this country. As we are moving towards East African Federation I do not think that we should have one office representing Kenya and another one for Uganda and Tanganyika. People should be derived from the three countries to represent East Africa in London, in Washington or in Moscow or in any other planet that is discovered soon.

I beg to draw this to the attention of the Prime Minister, so that he will do something to change, or make it clear that we are going to stand as one organization in London. We want to build an East African Federation whereby we shall have only one mission representing these territories and perhaps Zanziar. Mr. Speaker, I said that I do not want to keep on harping on the same subject about the training of people who were in the Mau Mau movement to defend this country for many speakers have said so from where the money was to come. But I think this is where we ought to get the money. I would like to add that it is not only the people who fought in the Mau Mau that can be trained. Having drawn the attention of the Prime Minister and the Parliamentary Secretary to this point I hope that something will be done.

With these few remarks I beg to support.

Mr. Anyken: Mr. Speaker, Sir, since I have already spoken on this Motion, I do not want to say too much but I would like to say—

The Speaker (Mr. Slade): You cannot speak twice on a Motion.

Mr. G. M. Mutiso: Mr. Speaker, Sir, I do not have much to say about this Vote, but there are a few points that I would like to point out to the Parliamentary Secretary. I do not understand if the African diplomats were chosen during the time of the colonial regime or during the period of office of this Government. I want to know whether it is in order for the African diplomats now undergoing training to be of one race. I do not want to appear to be racialist. I think that there is a serious issue at hand. The civil servants of the Asian race are threatening to resign with an intent perhaps to sabotage our Government. Amongst the group of diplomats now training we do have

an Asian. I want to know from the Parliamentary Secretary whether at the time they were chosen the people had the interests of the country at heart, or were they just people who were picked up by the colonial Government? I feel very strongly about this, I do not know whether it was due to the lack of Africans who were prepared to take up these posts or whether there were not enough educated Africans. Perhaps it was just the policy of the colonial Government to make this a multiracial country. I want this to be answered very clearly.

There is another point. I fail to understand the reason why these diplomats could only be trained in the Western world. As I understand, Kenya is not committed either to East or West. I do not see how a diplomat trained in Washington will represent the views of the people of this country when he is serving in Moscow. I also want to know whether there is anything wrong having our diplomats trained in China when our country is supposed to be neutral? I want this to be answered by the Parliamentary Secretary.

With these few remarks, I beg to support.

Mr. Oyo: Mr. Speaker, Sir, I have very little to say about this Vote as regards the training of diplomats. It is a question that has worried me because these diplomats have been trained by the former Coalition Government and I wonder how these people are going to represent this Kanu Government. I wonder if all these people all support the ruling party. I know some of them who are Kadu supporters. I did not think that this Government would allow someone to go out and represent the country. If he does not support the Government, I hope that the Parliamentary Secretary will—when he is replying to this—tell us how the diplomats were recruited. I thought that when the Government came into power that it was its duty to say who was to be trained as a diplomat.

Mr. Speaker, Sir, if I may go further. It has been mentioned by some of my colleagues about the training of these diplomats. We, in Kanu, believe in positive neutrality, and as such when a man goes to be trained in New York and spends a lot of time there, he comes back here and lives as an American. I do not, therefore, know how such a man can really represent our Government in accordance with our Pan-African beliefs of positive neutrality. In my own view, Mr. Speaker, I think we could have selected these men from all over the world, because we have students from Kenya studying in different countries, both from Eastern and Western. I think we should have selected students who are interested in becoming diplomats to serve this country and some of them

[Mr. Oyofo]

be withdrawn from the Eastern countries and some of them should be withdrawn from Western countries. Then we should find another country within Africa to train them. I repeat that they should be trained within Africa. I would not like anybody here to be trained in London, Washington or Moscow and then have later on to go and serve our country outside. We want these people to be trained in Africa because only in Africa do we believe in positive neutrality.

If I happened to live in Moscow I might sometimes be persuaded to think that was the best part of the world. If I lived in Washington I might also be persuaded to believe in the same way as the people there. However, we, in Africa, are not going to accept anybody who is going to try to make us believe in that way. In all seriousness, Mr. Speaker, Sir, I think this is a question which must be gone into very carefully, because we must not send diplomats outside the country who do not actually have the confidence of the people of this country. These people are going to represent this country when they are sent out to other countries and as such we must build up our confidence in them. We must not suspect them when they go outside, we must not say that so and so is going to represent Western ideology in other parts of the world, or so and so is going to represent Eastern ideology in another part of the world.

Mr. Speaker, Sir, I think this question should be carefully examined and I hope the Parliamentary Secretary, during his reply, will clarify the position and let the House know his Ministry's intention.

Mr. Speaker, Sir, I want to move to Ministry of Pan-African Affairs. I do not think enough money has been given to this Ministry and I think it is one of the most important Ministries as far as the young emerging countries in Africa are concerned. We believe that one day we shall have one United States of Africa and this is the Ministry that is going to pave the way for that. I think this Ministry should be accorded all facilities and it should be able to represent this country all over Africa with ease. As far as I know it has been given very few facilities and as such probably it is not going to do all that this country wants it to do. Mr. Speaker, Sir, I hope the Minister concerned will do all he can to see that the Ministry of Pan-African Affairs is afforded more chance to represent this country all over Africa with ease.

Mr. Speaker, Sir, with these few remarks I beg to support the Vote.

Mr. Oduya: Mr. Speaker, Sir, I do not have much to say on this particular subject. It is really very surprising and very depressing to learn that our Government has already selected some diplomats to be trained in New York, London and France without knowing what is the position and the feeling of our people in this country. It is really disappointing for us, in this House, today to learn that the Government—according to this Vote—has selected these people as the future diplomats of this country to be trained in New York. We, all of us, are aware of what has happened in the past. The British Government has been ruling this country for years, and we know what conspiracies the American Government make all over the world today. We know that Governments like that in France have oppressed Africa in the past and have made African slaves. It is depressing to learn that our Government of the day—the Government that has been elected by the poor men of Africa—is overlooking this fact and is continuing to send men that we can trust to be trained in New York; to be trained in London; to be trained in France. Let me tell this House that these people in New York, London and France welcome these diplomats because they want to maintain their positions in the lead and it is nothing more than that. They want to use Kenya—Africa for that matter—as a stepping-stone to maintain their lead in the future economic development.

Berlin is at the heart of the struggle between the Eastern and the Western countries, but today Kenya is one of the countries that the Western World want to have with them. They want all the Kenya diplomats to side with the Western World and if so they will be in a position to use Kenya as their stepping-stone to maintain their position in Berlin and other parts of Africa as far as the economic position is concerned. Mr. Speaker, Sir, let me say this: all we can tell our Government today is that if at all these people have been selected without the knowledge of the people in this House—especially the Government side—and without their consent I would say that the Government should call these people back immediately. We should be asked to give the Government the names of the people who are fit to serve in the field of diplomatic relations.

In this, Mr. Speaker, let me say that we have the former Liberation Army's field-marshal and generals who have suffered, some of them lost legs and arms, in spite of their education—some of them have had a good education—who are not considered by anybody and this Government is trying to bring in the old colonial mentality and is maintaining this colonial mentality after the elections. What we want is that these

[Mr. Oduya]

people who suffered and who lost their legs or arms or even their eyes, those who are educated, should be trained; because they are politically mature, and sent to Ghana, Nigeria, Cairo and even the Sudan, to be trained. There is no need to send them to New York. Let them be trained in Africa to run our diplomatic offices abroad, rather than have them trained in New York under the control of Kennedy—

The Speaker (Mr. Slade): Order, order. Under a Standing Order, of which you are no doubt unaware, that is Standing Order 63, it says that the conduct of the Government of any friendly country shall not be referred to except upon a substantive Motion for that purpose. So if you want to criticize in any way the Government of America you can only do it by moving a Motion specially for that purpose. You must not do it incidentally.

Mr. Oduya: Thank you, Mr. Speaker, and I am sorry. You see the reason that I do not wish to criticize Krushchev or the Communist world is because we have been told that these people have been sent out to the Western world to be trained there. So, I would like to say that we want to call upon our Government before it is too late, because we, as much as the public outside, are anxious that the future diplomats of this country should be our own people. And also, when I, as a Member of my Government, go to visit China, Russia, New York, in fact any part of the world, I would like to know who my country's representative is, and he should know me. It is no use filling these posts with Europeans and Asians whose names we do not know. These people are merely stooges of the Western world, and we call upon our Government to recall these people, and we ourselves will give them the names of the people who, we think, can serve this Government. In the country we have people who lost their seats during the last elections, very capable people, well educated academically, with mature political experience and with the African way of understanding, people like John Keen, and many other men, who could serve Kenya. So why select people who left school yesterday, who will select people who left school yesterday, who will go out in the world and will be told by the Western Governments to do this and to do that because it is the right thing, and who will tell them not to listen to their own Governments? We say that the Government has been wrong to select these men; they must recall these men and we shall assist the Government to replace them with our own people. I do not want to go on too long on this, but the Government knows very well that the people outside do not like the fact that they

might have selected Asians or Europeans to become ambassadors to represent Kenya tomorrow. This is really ridiculous and this sort of thing must be stopped right now, not tomorrow.

The Speaker (Mr. Slade): You are wandering from the point.

Mr. Oduya: I am sorry, Mr. Speaker, but that is enough on that subject, and I am now going to say something about Administration. We know that the Government is now calling upon the people to pay taxes, and I think that the Government will agree that the Administration that has been in existence has been a racial administration, and the people who served that Administration were trained and brought up as Colonial thinking type of men. So it is high time that we told these people what to do and—

The Speaker (Mr. Slade): Mr. Oduya, we are speaking on the Vote for the Prime Minister's Office.

Mr. Oduya: Yes, and I am now going to say that this Administration should be Africanized. That is what I am trying to say.

The Speaker (Mr. Slade): You are referring to the Prime Minister's Office?

Mr. Oduya: Yes, the Prime Minister's Office is also Administration, Sir, as I understand it. The Minister in the Prime Minister is responsible for administration, is that not right? So, I do not think I am going away from the subject.

The Speaker (Mr. Slade): Yes you are. You must only refer to those who are employed in the Prime Minister's Office, including the Prime Minister. But you may not speak on the others not in the Prime Minister's Office.

Mr. Oduya: I am sorry, Sir.

Now, as far as Administration is concerned, let me say that it is high time we saw, especially in the Army, and on the security side of the Government, the people who served this country during the years 1952 to 1955, 1956, when we had what we today call the Liberation Army. I do not support the idea of calling these people *Mau Mau*. This word *Mau Mau* is an imperialist word, and even the Prime Minister himself does not acknowledge the word *Mau Mau*. The word came from an imperialist form of expression—

The Speaker (Mr. Slade): I do not think this is relevant to the Vote.

Mr. Oduya: Mr. Speaker, Sir, I would like to see that my Government, since this is a very serious subject, what they are going to do about these former—

Mr. Sono: On a point of order, Sir, would the hon. Member explain to this House what he means by *Mau Mau*?

The Speaker (Mr. Slade): No, I said that it is not relevant.

Mr. Oduya: I would like to see the Government do something about these people. I remember during my recent visit to Kirinyaga one of the main mountains of East Africa, I found former Generals and Field Marshals who liberated Kenya, suffering, and nobody thinks of even getting them food. Mr. Speaker, if you went out to these areas where these former leaders of the Liberation Army—

Mr. Towett: On a point of order, Mr. Speaker, is the hon. Member in order to read his speech?

Mr. Oduya: I am not reading my speech.

The Speaker (Mr. Slade): He does not appear to me to be reading his speech.

Mr. Oduya: Thank you very much, Mr. Speaker, Sir.

Recently, when we organized the elections, the people outside were very happy, and when we come to this House we come to make constructive plans. So we must see that these people who fought for Kenya and liberated Kenya and who made this House today black, are considered to such an extent that their futures are not disrespected. Until now, we have heard nothing about them, and none of us, not even the Members on the Opposition side, have seen anything constructive from the Government side regarding the future of these people.

The Speaker (Mr. Slade): This is not relevant unless you are saying that these gentlemen should all be employed in the Prime Minister's Office.

Mr. Oduya: I am going to speak about this, and since the Prime Minister is here I think he should hear it. Thank you, Mr. Speaker, for correcting me on that, but I think that the Prime Minister and his Cabinet should realize that it is important that the liberation generals and field marshals and their supporters should be considered for future recruitment for the army officers of this country. We would like to have people who think in the same way as ourselves, people who have risen from the soil of Africa. We do not want people who have been employed by the Imperialists in the past to be called the Army of the State. I do not support that idea at all. I would like to see the Prime Minister and his Cabinet select a committee of some kind to go

into these areas concerned and see these people and discuss with them whether they are capable of being army chiefs or of holding other positions in the Army or in defending the country. They are the people who fought for the country and made this House black today. No one would ever have dreamt of making this House black without these people, and I do not support this idea of people coming here and saying that they were elected. They would never have been elected without the leadership of these men. The Government must remember that there is something outside for them to do, and the Cabinet, as well as the Prime Minister, must appreciate that this is a very, very big point, and we would like to see something done about it within the next few months.

Mr. Speaker, Sir, another point is the Prime Minister's Office itself. I may be wrong in what I am about to say, but I am open to correction if I am. But I have learnt something about the Prime Minister's Office, and while I am not trying to embarrass the Government, I am entitled to speak because I have been elected by the people of Teso—they are a part of the African nation—to represent them in this House. Both the Members of this side and also of the Opposition, together with the members of the public, suspect the way the Prime Minister's Office is run. I do not know whether this is due to a misunderstanding within the Cabinet, but I want to say that the position of the Permanent Secretary—I am not trying to be racial—should be held by an African. It is important that this Government, and particularly the Cabinet that is now in existence, should be selected by the majority of the African votes and we would rather not have former Colonial ministers or Colonial employees, serving the Cabinet as Permanent Secretaries and so on. If it is a matter of having experienced men in these posts, I will produce names of men I think should be given these posts. We have some African District Commissioners now, some of them with a very high standard of education, and they could run this Office very efficiently. They all have administrative experience and I cannot understand why the Government has filled the Cabinet with former Colonial ministers and employees. I am not trying to be racial, I am merely thinking of the interests of my country. It is high time that my Government took an African District Commissioner—if you want me to mention any names I will mention them here because I want the public to know what is going on—to do the work of the Secretary to the Cabinet. An African should be employed to take that job immediately. There should be Africanization in this field, this is an African Cabinet and we

[Mr. Oduya]

would like to have an African serving in that post. I am not saying that we should only have African District Commissioners, we can also have many other men in these fields, some of them have been serving the Imperialist Government for years and years and they have not been considered for any promotion. This is the time to give them a chance. We want to show the Western World that an African can run his own Government without assistance from the Imperialist. We have been ruled by the Western world for quite long enough. Until now people keep saying to me, Eastern Eastern, but I do not want to tamper with a snake which is not in my house. We have all the consulates and so on from the Western World as snakes here today. So now, Mr. Speaker, Sir, I would like to say that we would like to see that all that I have suggested is implemented immediately. My call is that an African replaces this man before December this year. We want the Cabinet to be black before the end of this year.

Another point, Mr. Speaker, Sir, is the Press Section of the Prime Minister's Office. The Office is very important, because when the Prime Minister visits Nyanza, or Ghana, or Uganda, he is accompanied by the Press, and we know that a white man has been employed in this post—again I am not trying to be racial. Mr. Speaker, Sir—and we would like the Prime Minister, if he has been misled into employing this man because he was told that there was no African capable of doing the job, to look round and find one of the many African with ample qualifications to fill this post. I could even mention one or two names here, people with outstanding records. Why fill these posts with imperialist white men, why not fill them with Africans? Why not employ a trained newspaperman and see that he gets sufficient news from outside, or for that matter a man who is used to doing that job, why not have that sort of person in the job, rather than having the job filled by a foreign man? I call upon my Government to act as soon as possible to see that this section of the Prime Minister's Office is replaced by an African, and if they do not want the men I have suggested then get someone else. Mr. Speaker, Sir, I am not trying to be critical. This is the first speech I have made in this House. I did not even speak when we were debating the Budget which was drawn up long, long ago when we were conducting our election campaign. I did not speak about it because I did not want to bother myself with saying this and that, beating about the bush on something foreign. It is only now in 1964 that I will speak in this House about the Budget.

So, Mr. Speaker, I have chosen today to speak for the first time on this subject because I feel it is most important. Before I sit down I must emphasize very strongly that in the Prime Minister's Office the Secretary to the Cabinet should be removed immediately, and I think this side of the House will support me. If there is any further delay on this, I will move a Motion here and I think this side of the House will not be embarrassing the Government in voting that when it is the question of the Cabinet we take any further steps. We have only given the Government a warning that Mr. Ellerton, along with any other officer in the Press Section, should be removed as soon as possible and we should make sure that we have African people. People who have suffered under the colonial régime and the colonial oppression should be put in to replace them and let them serve their people in accordance with the thinking and the needs of the African people.

That, Mr. Speaker, Sir, is what I would tell this House today, which is the first time I have stood on the Floor of this Chamber. I do not think that when the Parliamentary Secretary replies he will be beating about the bush. All we need is constructive answers according to the questions or statements which have been made by previous speakers and also myself. I want the nation outside to know that we have registered a very strong protest to the Government to remove Mr. Ellerton, the Permanent Secretary to the Prime Minister's Office, and the Press Officer—

The Speaker (Mr. Slade): Mr. Oduya, you are repeating yourself too much.

Mr. Oduya: I am sorry, Mr. Speaker, thank you. I did not mean to repeat myself. I was trying to tell the nation outside because the Government may think that I am only trying to speak to the Government on the Front Bench. I was only going to extend the word to the nation that we have registered a protest—

The Speaker (Mr. Slade): Mr. Oduya, you have said that twice. You must not go on repeating yourself.

Mr. Oduya: Thank you, Mr. Speaker. I am ending my speech now. I do not want to go further, because the Government has understood my point. Also, I am glad that the Back Benchers on this side have supported it fully and I think in the time has come of supporting this idea in the House and outside in the nation at large.

Mr. Ngũgĩ-Aboki: Mr. Speaker, Sir, I rise to support the Parliamentary Secretary to the Prime Minister's Office in the way he presented this

[Mr. Ngala-Abok]

Vote. I would say that it was quite a reasonable Vote, but I would like to say something about the training of our people for foreign diplomatic posts.

I would like to say it in a different way from some of my colleagues. We have received some help from the Western countries in the past, and certain of this help should be appreciated. The tendency at the moment is to criticize anything from the West, but we do not give a good reason as to which particular country we would prefer. In fact—this is a personal expression—any country which is willing to help us can help us. The only thing we should ask for is this. How many people go abroad to receive training and how are they trained? We should seek to have a fair distribution of these people to various countries which can help train them. If we do not have any person in Russia, let us send some people there; if we do not have sufficient future foreign diplomats being trained in Ghana, let us have some there. But we should not appear to be growing hostile to a particular friendly country that is training some of these foreign diplomats, because most of us in this House, I can say without fear of criticism later on, have been trained in the Western countries and have become freedom fighters and nationalists now. We have fought for our country and we are going to get independence. It all depends on what sort of training these people are receiving overseas. The only thing we would ask the Prime Minister's Office to tell us is what type of training these people are receiving. This is what we should be interested in because we all know very well that these people will serve our Government and any person trained overseas with a colonial mentality thinking that he is still coming to support colonial ideas and to frustrate the people, will be thrown away tomorrow. We are now asking that some of the posts now held by foreigners and colonialists, and so on, should be Africanized. Of course, they are going to be Africanized, but at the same time we should get our people trained in any country that is helping to train them. There are certain countries which are prepared to take 300 or 500 would be diplomats at a time, let these people collect them, let them train them, but how they will come to work will depend. We shall still have them at our disposal, to discharge them, to imprison them, and to send them to, hell, if we wish; if they are not going to serve us as we want. This is what matters. It is not a question of America being the wrong country, Britain being the wrong country. Of course, we know fundamentally they are wrong, that is why we are throwing them away, but they are wrong because

they have been ruling us. They are wrong because they have been sitting on our shoulders and we have been trying to throw them away, but they go on sitting, but now they are moving to our feet, let us kick them slowly but not with so much hostility that anything American is colonialist, anything British is imperialist. In fact, this is not what I rose to say.

I rose to find out what sort of training these people are getting and to demand that anyone who comes back here with a colonial mind will be discharged tomorrow. This is what I have to say about the training of diplomats. We should scatter them in all countries, friendly or not, hostile or not, whether the colonial Government likes them or not.

I would also like to say something about the Kenya Office. I have been hearing about the Kenya Office in London. I understand there are some other Kenya Offices—one is in Cairo, Egypt—and now that we have a Kanu Government I do not know whether our Government has gone into these offices in these foreign countries, and whether the people representing the Kenya Government in these offices are African in mind, in ideas and in activities, or whether they are the sort of people who were placed there before to support the interests of the White Settlers and to say that the settlers are doing very well in this country and Kenya is a beautiful country to which Europeans should come and see what is being done. They were trying to improve the conditions of the settlers here. Are the people in the Kenya Office in London, particularly, pro-Kanu? This is a question which I would like to be answered. Now Kenya is being governed by Kanu; I would not ask to find out whether they are pro-Kadu, because Kadu is not ruling. If they are pro-Kanu, they are pro-Kenya. Therefore, we would not like to hear that an office is a Kenya Office and yet the Kanu Government probably has not a person there serving Kanu's interest, which is why we get misinformation overseas and some Press statements which are completely contrary to what is taking place locally here. This is as a result of offices being retained there which were created long ago and our Government has not checked the staff there. That is why I would like to know what sort of people are in these offices.

If we do not have the right people there, let them be removed, because these are the places where we shall fall down immediately on independence. We shall be keeping these people there and they will be falling us immediately after independence. We must have Kanu all over the world—Kanu, Kanu, Kanu—they must be Kanu everywhere.

[Mr. Ngala-Abok]

I would like now, Sir, to say something about military training. I know for certain that most of the people who worked very hard during the fight of *Mau Mau* are going to get jobs, and there are many good men who are going to get jobs. This time they are going to get jobs to defend this country, but what I would like the Parliamentary Secretary to the Prime Minister's Office to tell us is whether he has taken a tour to see this military staff being trained. I would like to know how many Africans there are with the best military knowledge in this country because it is just tomorrow that we will get independence and if the Prime Minister and his Cabinet have not checked what sort of army we are going to have on independence day then obviously the British people are still going to control that army to a certain extent.

What I want to tell you here is this. Even in Ghana there are still British men training military staff—it is the same in many other countries—but the British men who are there are 100 per cent pro-Ghana, because if they were not 100 per cent pro-Ghana Mr. Nkrumah could not afford to keep them there. This is what we want our Prime Minister to check; whether the people we are going to have in the army on independence day are going to be pro-Kanu, and therefore pro-Kenya, and whether they are going to be people who are going to serve the interests of this country. There is too much demand for autonomy all over Kenya, and we must be prepared to deal with this autonomy business. Mr. Speaker, Sir, you cannot deal with an emergency if the people serving in the military forces are not going to work according to their instructions. We know how much a clever military mind can undermine the Government.

The Speaker (Mr. Slade): I know other hon. Members have talked about armed forces, but it is outside this Vote.

Mr. Ngala-Abok: Mr. Speaker, Sir, I just wanted to mention that as the Prime Minister has the responsibility for the army it is a vital point.

The Speaker (Mr. Slade): The Prime Minister has ultimate responsibility, with his Cabinet, for everything; but that does not mean that we can discuss everything when considering the Vote for his office.

Mr. Ngala-Abok: Thank you, Mr. Speaker, Sir.

An hon. Member: On a point of order: Mr. Speaker, is it not in order for us to talk about

everything concerning Government during the Prime Minister's Vote, in view of the fact that the Prime Minister is responsible for everything that goes on in this country.

The Speaker (Mr. Slade): No, this Vote deals only with his office. If you look at the details in the Estimates you will see what this Vote covers.

Mr. Ngala-Abok: I would like to make just one more point before I sit down, Mr. Speaker: it is the question of resignation of overseas personnel, or overseas staff who have been serving in this country. These resignations, to some extent, should not be taken lightly because there may be certain reasons for these resignations. We have not enough trained or experienced Africans to Africanize certain departments, and yet we find these people resigning when they have not recommended alternatives to take over their posts. At the moment the people we want to replace, the Permanent Secretaries, are the people who have been recommending staff for higher posts. You will find that most of these people who have had the Administration in their hands are now going and they probably do not recommend alternatives, people who can take their places so that the Administration can be kept going. I am confining myself to the Prime Minister's Office because it is the most vital office we have in Kenya today. If the Prime Minister's Office is not steady, straightforward and 100 per cent confident of the Prime Minister's activities we shall fall badly. This is why we want to see that if there are any resignations within the Prime Minister's Office a good African, or a good Asian, who can serve the African properly, can replace these people. If an Asian is an African at heart we can get that accept him. However, what I want to say is that there have been resignations and to embarrass these people are resigning so as to embarrass the Government. You then find that other people are left with no instructions and no proper hand-
ing-over period, and in times we may find that our Government is falling. I would like the Prime Minister's Office to be very careful with the staff within that particular department and to see that any person who resigns is replaced immediately by a person who can undergo training and who can uphold the dignity of the Prime Minister's Office.

Thank you very much, Mr. Speaker, I support the Vote.

Mr. Mashadi: Mr. Speaker, Sir, I rise to speak on this Vote of the Prime Minister's office but I do not have much to say as a lot has been contributed by the Government side, and I think the

[Mr. Masinde] Back Benches of the Government side have said some constructive things today.

This Prime Minister's office is one of the most important offices in the country now, and we do not want any bluffs from the Government side. If they really mean what they say we have got to see action.

I do not want to go far on what is taking place concerning the diplomats and all that. Training is a different thing and employment is yet again different. People have to be trained and if we do not want them we do not have to employ them. However, that is something which will come in the future. What I want to say to this House and the hon. Prime Minister is: if you walk out into the street the majority of the people are black men, but when you go into the offices it is different. We want a fair proportion; we want to see Africans in these offices. You cannot tell me that Africans are not capable of filling jobs. The most junior jobs are now being handled by foreign people because they happened to pick up employment during the time when Africans were regarded as people who did not know anything, and it would take them long to learn it. At present any boy after he finishes Standard VIII can do filing and recording, yet all these posts are filled by Asians. I am not against Asians, but there are very many of our own people who have no employment and when they go in for employment they are told there is not work. *Hakuna Kazi*. This is because establishments officers—particularly in the Prime Minister's office happen to be Asians. It is important that we have local people to compete with those who can pick up employment.

One thing I want to say, Mr. Speaker, Sir, is about Africans. If Asians and Europeans in this country are not prepared to be called Africans then they are not with us, they have got to be called Africans if they really want to stay with us. We do not even use our own language, we are forced to speak English; Swahili should be the language we speak and everybody in this country should be proud of the language. These people should know at heart that we do not suspect each other.

Mr. Speaker, Sir, you have ruled that we should not talk about the police, but there is something I want to say about the administration. We have seen that a good number of Africans have now taken up responsible posts, they have become Regional Government Agents, but that is not enough. Training is so slow. You will find a person at the Kenya Institute of Administration completes six months and does nothing but learn the

map of Kenya. Yet he learned this at school; this is Standard VI work and it is a complete waste of time for anyone from Makerere College. I think this course should be for possibly three weeks and then these people could come and take up posts. Expatriates are in jobs while local people are training, but when they say they are undergoing training it appears that the British Government prepares for the expatriates' employment before it is prepared to find jobs for the local people; however able they may be. That is not what we are going to wait for, we want to employ somebody who is prepared to serve this country. We cannot train people who are not prepared to serve this country, if they all resign at one time we will not have anybody to serve us. The Government is the administration and without that administration we are finished.

Mr. Speaker, Sir, the hon. Parliamentary Secretary, when he replies to this House, should give us the numbers for employment in his Ministry. He must also employ local people and they must be prepared to be called Africans. With these few remarks, Mr. Speaker, I support the Vote.

Mr. De Souza: Mr. Speaker, Sir, I was a little disappointed to hear the hon. Mr. Gideon Mutiso say, in the course of his speech just now, that because a large number of Asians have resigned from the Civil Service no Asian should be recruited in the foreign service. He also said that this one particular person who is now being trained in the United States should be sacked.

Sir, I did not intend to speak in this debate at all with this particular connexion, but I think it is my duty to say a few words to explain away the misunderstanding that has taken place as a result of this very regrettable mass resignation of a large number of Asian civil servants in this country. I would like to assure this House that I have been as much disturbed by these resignations, and as much annoyed by these letters from some of these civil servants, as this House. However, I think it is only fair that the hon. Members of this House understand the position because some Members might feel that this was a very deliberately planned effort, on the part of some Asian civil servants, to try and blackmail this Government and to coerce this Government into a course of action which it did not want to take. In fact, Sir, the truth is far from that. What in fact happened—I think it is only fair that hon. Members should know—is that there is among Asian civil servants at the moment a terrific amount of panic. This is caused largely by the fact that about 350 Asian civil servants in the Railways have suddenly received a notice in the last few weeks, to quit their jobs. This is also, I

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