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SECTION 7

REEL No.

28

5

KENYA NATIONAL ARCHIVES

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Description of Document LEGISLATIVE COUNCIL DEBATES. VOL. LXXXVII. (Part II.
Including Index).

Covering Dates 16th June to 21st July, 1961.

Reference No. FROM CENTRAL GOVERNMENT LIBRARY.

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Date of Reproduction 5th February, 1966

KENYA GOVERNMENT ARCHIVES
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SECTION 7

CONTINUED FROM

REEL No.

27

Tuesday, 18th July, 1961

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

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

ADMINISTRATION OF OATH

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

Ishwarbhai Shamalbhai Trikammbhai Patel.

PAPERS LAID

The following Papers were laid on the Table:—

The Transfer of Powers (Mohammedan Marriage and Divorce Registration) Draft Order, 1961.

The Transfer of Powers (Mohammedan Marriage and Divorce Registration) (No. 2) Draft Order, 1961.

Revised Appendix I, Appendix II and Appendix IV relative to Sessional Paper No. 6 of 1961—Limited Compensation Scheme.

(*By the Acting Chief Secretary (Mr. Griffith-Jones)*)

The Transfer of Powers (Maintenance Orders Enforcement Ordinance) Draft Order, 1961.

The Transfer of Powers (Penal Code) Draft Order, 1961.

(*By the Temporary Minister for Legal Affairs (Mr. Webb)*)

The Land and Agricultural Bank of Kenya—Annual Report, 1960.

(*By the Temporary Minister for Legal Affairs (Mr. Webb)* on behalf of the Minister for Finance and Development (Mr. MacKenzie))

Report of the Commission of Inquiry into the Administration and Staff Relations of the Kenya Meat Commission.

Sessional Paper No. 7 of 1961 on the Report of the Commission of Inquiry into the Administration and Staff Relations of the Kenya Meat Commission.

The Agricultural Appeals Tribunal (Procedure on Appeals) Rules, 1961.

(*By the Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell)*)

The Transfer of Powers (Dangerous Drugs) Draft Order, 1961.

The Transfer of Powers (Dangerous Drugs) (No. 2) Draft Order, 1961.

(*By the Minister for Health and Social Affairs (Mr. Mate)*)

NOTICES OF MOTION**SESSIONAL PAPER NO. 7—REPORT OF COMMISSION OF INQUIRY INTO KENYA MEAT COMMISSION**

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, I beg to give notice of the following Motion:—

THAT this Council notes Sessional Paper No. 7 of 1961 and the Report of the Commission of Inquiry into the Administration and Staff Relations of the Kenya Meat Commission relating thereto.

TRANSFER OF POWERS (MOHAMMEDAN MARRIAGE AND DIVORCE REGISTRATION) ORDER, 1961, AND (NO. 2) ORDER, 1961

The Acting Chief Secretary (Mr. Griffith-Jones): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this Council approves the Draft Orders entitled "The Transfer of Powers (Mohammedan Marriage and Divorce Registration) Order, 1961", and "The Transfer of Powers (Mohammedan Marriage and Divorce Registration) (No. 2) Order, 1961".

TRANSFER OF POWERS (DANGEROUS DRUGS) (NOS. 1 AND 2), 1961

The Minister for Health and Social Affairs (Mr. Mate): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this Council approves the Draft Orders entitled "The Transfer of Powers (Dangerous Drugs) Order, 1961", and "The Transfer of Powers (Dangerous Drugs) (No. 2) Order, 1961".

TRANSFER OF POWERS (PENAL CODE) ORDER, 1961

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this Council approves the Draft Orders entitled "The Transfer of Powers (Penal Code) Order, 1961".

ORAL ANSWERS TO QUESTIONS**QUESTION NO. 33**

Mr. Chokwe asked the Minister for Local Government and Lands what title will be granted to the tenants on the settlement scheme between Mida Creek and Kilifi Creek; and, further, what rent they will pay.

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, I beg to reply. Tenants on the settlement scheme between Mida Creek and Kilifi Creek are in the first instance given temporary occupation licenses which are renewable annually up to a maximum period of five years. Provided that the development conditions laid down by the Crown are carried out, the holder of a licence may apply at the end of the five-year period for the grant of a lease for 99 years under the Crown Lands Ordinance. May I add that the conditions are not onerous.

The rent for the temporary occupation licenses is Sh. 2 per acre per year. Licensees are also required to make a single payment of Sh. 2 conveying fee and Sh. 3 stamp duty. For those who obtain the grant of 99-year leases the stand premium will be Sh. 20 per acre and the annual rent Sh. 10 per plot.

Mr. Chokwe: Mr. Speaker, Sir, would the hon. Parliamentary Secretary tell us how many people, how many tenants, are being granted a lease of 99 years?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, we have not yet reached the five-year period which has been laid down, but after that we shall give the answer to the hon. Member.

Mr. Chokwe: Mr. Speaker, Sir, does the hon. Parliamentary Secretary not agree with us that this scheme has been a failure from the beginning?

The Speaker (Mr. Slade): No, I do not think that is suitable as a supplementary question.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, would the hon. Parliamentary Secretary tell us what these particular conditions are and, secondly, what these Africans must do to get the 99-year leases?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): The answer to the first part of the question is actually clear. The conditions that have been laid down are that during the occupation period on a temporary occupation licence licensees are required to clear the boundaries of the land and to plant cashew and coconut trees in sufficient numbers to show the boundaries which have to be kept clear. At least one quarter of the plot has to be planted with tree crops and the rest with other crops. The second part of the question has actually been answered.

Mr. Mboya: Mr. Speaker, Sir, would the hon. Parliamentary Secretary tell the House what assistance is given to these people in the settlements

to meet these conditions and, secondly, what provision exists in the event of their not being allowed to get the 99-year lease if they wish to appeal against the decision?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): As to the second part of the question they will certainly appeal to the Minister for Local Government and Lands and the whole thing will be taken into consideration. As to the first one, as yet no particular assistance has been given by the Ministry itself, but I think that applies to the Minister for Agriculture who certainly will deal with the problem if it is desired.

Mr. Mboya: Mr. Speaker, Sir, would the Parliamentary Secretary confirm that actual provisions exist for appeal against the decision, or does he just think they may appeal to the Minister? Secondly, is it possible that the Parliamentary Secretary knows the answer to the question as to what conditions, what help, what assistance is given to these people? If so, would he tell the House?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, if these people apply for loans in the normal way, they will certainly get the loan from the Minister for Agriculture.

Mr. Mboya: Mr. Speaker, Sir, is the Parliamentary Secretary therefore saying there is no special assistance to enable this settlement scheme to work out? Is it merely a question of the normal loan system?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Yes, Sir.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, will the Parliamentary Secretary tell us if he knows what is the income of these particular tenants in this particular area?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): That is another question.

Mr. Mboya: Mr. Speaker, Sir, the Parliamentary Secretary has not yet answered the question as to whether he can confirm to the House that actual provisions exist for appeal against the decision by the settlers in the settlement, or would the Minister for Local Government want to reply in his place?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): They do.

Mr. Chokwe: Mr. Speaker, Sir, is the Parliamentary Secretary in a position to tell the House the racial composition of the tenants of this place?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, I am not in a position to try to break down this inter-racial composition.

Mr. Nihenge: Does the Parliamentary Secretary mean to tell us that people of all races are allowed to go into the scheme?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, this scheme was actually set out for the Africans in that particular region and those who apply to get there are actually Africans.

Mr. Nihenge: Is there any provision made for settlers in case they do not harvest in the way of paying their rent?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, that is a very fertile region and as yet we do not expect they will not get anything out of the land.

Mr. De Souza: Mr. Speaker, Sir, is the Parliamentary Secretary aware that we cannot expect these persons to take all the time and trouble to develop their land if there is no security of their tenure for 99 years?

The Speaker (Mr. Slade): That is too much of a proposition.

Mr. Mboya: Mr. Speaker, Sir, is the Parliamentary Secretary suggesting that a fertile area may not have a bad crop? If not, would he tell us what provision exists in the event of a bad crop?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, I did not really mean that. What I meant was—the question was a hypothetical one. At any rate anyone can apply for a loan from the Ministry.

Mr. Mboya: Mr. Speaker, Sir, is the Parliamentary Secretary aware that, in fact, there is provision in this country for certain farmers to have protection in the event of a bad crop, and this is not hypothetical. Is such a provision in existence for people in this settlement or not? That is the question we want to know.

The Speaker (Mr. Slade): You are referring to the section by way of provision?

Mr. Mboya: That is right. Provision in the case of a bad crop.

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, rent can always be waived by the Minister.

Mr. Mboya: Mr. Speaker, Sir, will the Parliamentary Secretary confirm that there is provision for waiving the rent, and if so what would be the conditions under which it may be waived?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, there is a provision for waiving the rent. At any rate, it was put forward that if there are bad crops in that area and the place is not productive that could very easily be one of the conditions.

Mr. Mboya: Mr. Speaker, Sir, the question is not answered. The question is—if the front bench of the Government want to help the Parliamentary Secretary, they may do so. The question is, is there provision for waiving rents. If so, could we be told what are the conditions under which rent shall be waived?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, I have given the conditions, some of the conditions. I cannot go into details of all the conditions of that particular part.

Mr. Mboya: Mr. Speaker, Sir, would the Parliamentary Secretary give us in writing later what these conditions are if he cannot remember them now?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, I could give them in writing later.

QUESTION NO. 112

Mr. Porter asked the Minister for Education with reference to the Annual Report of the East African Literature Bureau, 1959/60 (page 1, Libraries Section), can the Minister give an assurance that the Colonial Office funds mentioned for a proposed Kenya National Library Service will be available and can be accepted by the Kenya Government; and, if so, will he state what sum will be forthcoming, and when; and will he state whether the Kenya Government will have to make a matching contribution; and, if so, how much will this be and when will it have to be made?

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I beg to reply. Funds were offered by the Colonial Office as assistance towards the Kenya National Libraries Scheme, but could not be accepted because the offer involved the provision

[The Leader of Government Business and Minister for Education] that the full recurrent costs—which for the scheme initially put up by the Libraries Adviser of the British Council amounted to £15,679—would have to be borne entirely by the Kenya Government, and this sum could not be provided by my Ministry in the light of the many other pressing commitments. A revised and reduced scheme, involving a Colonial Office grant of £13,500, with a Kenya contribution of £4,337 for annual recurrent expenditure, is under consideration. This contribution would have to be made in 1962/63.

Mr. Njiriri: Mr. Speaker, Sir, could the Minister tell us the commitments he mentioned which prevented the Kenya Government accepting the offer from the Colonial Office?

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, they are the usual commitments in the Ministry of Education as shown in the present Estimates, but further to that a pilot project for one year and costing £25,361 was put up by the Libraries Adviser of the British Council in January, 1961, of which the Kenya Government would have had to bear £4,631. This was laid on to a long-term project costing the Kenya Government £15,679 in its first year with a subsequent annual increase of a few thousand pounds a year as original development envisaged took place. This is part of the commitment.

Dr. Kiano: Mr. Speaker, Sir, arising from the original reply, could the Minister tell us the scheme envisaged by the first offer, and how it differs from the present offer in terms of the services the country can expect?

The Leader of Government Business and Minister for Education (Mr. Ngala): In terms of the services the country can expect, Sir, it is in terms of provision for libraries in the main townships and also the difference in financial level as shown. It is a very detailed project and if the Member agrees I would supply the details in writing.

Mr. Njiriri: Mr. Speaker, Sir, seeing that the Government of Tanganyika has accepted the offer from the Colonial Office, would the Minister tell us whether this Government will be in a position to get in touch with the Tanganyika Government to find out how we can solve that problem of acceptance?

The Leader of Government Business and Minister for Education (Mr. Ngala): My Ministry has no intention of consulting with the Tanganyika Government on this issue. We have made

it quite clear that it is because of shortage of funds and because we are already committed on the library issue here; therefore, there is no need to seek advice outside when we do not need it.

Dr. Kiano: I want to thank the hon. Minister for promising to give the details in writing. But could the Minister give us a general analysis, for example, about how many libraries are anticipated in the first scheme and how many in the second scheme or how many towns will have them and how many libraries we are going to have.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I will give this in the details.

QUESTION No. 137

Mr. Seroney asked the Minister for Legal Affairs, when does the Minister intend to table in this House a Bill to enable Africans to make wills?

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, I beg to reply. I hope to publish the Succession Bill in the autumn. This Bill, which will replace the obsolete Indian Acts of 1865, 1870 and 1881, will apply to all the inhabitants of Kenya and will enable all of them to make wills.

Mr. Seroney: Does the Minister intend to publish this as a White Paper or as a Bill?

The Temporary Minister for Legal Affairs (Mr. Webb): As a Bill, Sir.

NOTICE OF ADJOURNMENT MOTION LOAN OR GUARANTEE COMMITMENTS

The Speaker (Mr. Slade): I have to inform hon. Members that I have received notice from Col. McKenzie of his desire to raise on an Adjournment the matter of further commitments by way of loan or guarantee while Council is adjourned. I have allotted Thursday, 20th July, for that matter to be raised, and it will accordingly be raised at the close of business on that evening.

PERSONAL STATEMENT

RESIGNATION OF MINISTER

The Speaker (Mr. Slade): I believe that Mr. Marrian has a personal statement to make. In view of the gravity of this statement, I would ask hon. Members to hear it in silence and to reserve any demonstration of approval or disapproval until Mr. Marrian has finished speaking.

IN THE COMMITTEE

[J. J. M. Nyagah, Esq., in the Chair]

The Marriage (Amendment) Bill

Clause 2 agreed to.

Clause 3

The Minister for Tourism, Forests and Wild Life (Mr. Marrian): Mr. Speaker, Sir, it will come as no surprise to many hon. Members on this side of the House that I recently find myself at variance on certain constitutional issues with the majority view of the Government. Although I have attempted to clear these differences in personal discussions with many of my colleagues, I have been unable to do so and, as a result, I feel it is necessary for me to make this statement to the House today.

This country of Kenya, which all of us hold so dear, is on the eve of great events, and decisions of tremendous moment for the future of all our diverse communities, have to be made within the immediate future. I am totally concerned that discussions leading to such decisions should be held in an atmosphere most likely to achieve success for all of us. I have been reluctantly forced to the conclusion that the intention to create internal self-government this year, with neither a full constitutional conference nor new elections, cannot create such an atmosphere.

As I have often repeated in this House, the main theme of my own political thought is the attainment of political unity on broad national issues while preserving the entity of tribal groupings through existing parties. I could not but feel that the Government statement rejecting out of hand either elections or a full constitutional conference this year and, therefore, before full internal self-government, was not in keeping with the spirit of Maralal and was damaging to the sense of unity that I required.

Government Members will remember to what extent I opposed this, not only on grounds of its content, but also on grounds of its spirit. Finding myself in disagreement with the majority view on this side of the House, I had to decide whether I could continue to serve the Government with loyalty. With great reluctance, I came to the conclusion that I could not, and have, accordingly, submitted my resignation to His Excellency.

In conclusion, I would like to thank my colleagues for the work we have done together and, in particular, I would like to pay tribute to my friend the hon. Leader of Government Business. The difficult position in which he has been placed was not of his choosing and he has carried out his duties with a very high regard for the future welfare of Kenya.

Hon. Opposition Members: Hear, hear!

COMMITTEE OF THE WHOLE COUNCIL

Order for Committee read.

[Mr. Speaker left the Chair]

Mr. De Souza: Mr. Chairman, I should like to speak on this Bill in general. I think, Sir, that I should start by stating that I do not have any objection in principle to the purpose of clause 3 or the amendments sought to be secured by that clause, but I do feel that the time has come when we should have laws applicable to all persons of this country and that we should stop having different laws for marriages for one race or one community.

The Temporary Minister for Legal Affairs (Mr. Webb): On a point of order, Mr. Chairman, is the hon. and learned Member in order in discussing in relation to clause 3 of this Bill the whole question of the law of marriage of Kenya. That might be a suitable subject on a Second Reading debate, but not in Committee.

Mr. De Souza: Sir, could I speak with regard to that point of order? It says that the Marriage Ordinance does not normally affect marriages of Africans, Arabs or Asians. I want to say that it should be applicable to all people.

The Chairman (Mr. Nyagah): Have you finished?

Mr. De Souza: Yes. It does say—

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, on a point of order, could I have a ruling, please, on my point of order?

Mr. De Souza: It does say under clause 2 of the Memorandum of Objects and Reasons that it should not be applicable to all people. That is the reason why I wish to speak to it.

The Chairman (Mr. Nyagah): The point of order raised by Mr. Webb is quite valid, that you should only confine yourself to clause 3. The chance to speak on the lines you wish to speak on was available when the Bill was in front of the House for its Second Reading.

Mr. De Souza: I will speak on this particular clause. I will say this. I would like to know why the Minister has chosen the age of 16 years in regard to one particular race and what will happen in such cases if there are marriages which take place between one race which does have an age limit and one which has got no age limit.

[Mr. De Souza]

That is the main reason why I believe that there should be a standardized form of marriage, because here one is obviously catering for only one particular form of marriage. I believe one could envisage—one might not like to but one could—the possibility where a marriage would take place not only between members of one race but between different races. I believe, therefore, that it is very much a part of the principle that is involved in the Bill that one should cater for such possibilities.

The hon. Acting Attorney-General obviously does not want me to speak on the principles of the laws as such, but I think I shall raise that on some other occasion.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, the premise on which the hon. and learned gentleman's objection is founded is false. The Marriage Ordinance does not apply, as he suggests, to one race. The Marriage Ordinance applies to anybody who cares to get married in accordance with its provisions and, therefore, the main objection which he has raised falls away.

The reason, as I pointed out in moving the Second Reading of this Bill, and as set out in the Memorandum of Objects and Reasons, which I shall now repeat for the third time for the benefit of the hon. and learned Member, is that the age of 16 has been borrowed from England where it seemed an appropriate age and, therefore, we chose to follow it.

The general question which the hon. and learned Member has raised as to what we might call mixed marriages equally is not really relevant. The age under which a person may be married depends on the law under which the parties get married. If an Asian and a European chose to get married under the Marriage Ordinance, then the age of 16 applies. If they chose to get married by some other procedure, which is equally acceptable in terms of their personal law, then whatever age is prescribed by that law will prevail.

Clause 3 agreed to.

Clauses 4, 5, 6 and 7 agreed to.

Schedule agreed to.

Title agreed to.

Clause 1 agreed to.

Bill to be reported without amendment.

The Statute Law (Miscellaneous Amendments) Bill

Clause 2 agreed to.

Schedule

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, I am afraid I have a number of amendments to move to the Schedule to the Bill and with your permission I shall take them one by one in order in relation to the Ordinances as they appear in the Schedule.

The first amendment is in relation to the item respecting the Municipalities Ordinance which hon. Members will find on page 81 of the Bill Supplement. I beg to move that in relation to that item the words "Assistant Inspector" be left out and the words "Sub-Inspector" be placed therein instead.

This, Mr. Chairman, is simply to correct a false nomenclature.

Question proposed.

The question that the words proposed to be left out be left out put and carried.

The question that the words proposed to be inserted in place thereof be inserted put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): My second amendment, Mr. Chairman, I am afraid arises to correct a printing error. On page 83, in relation to the Oil Production Ordinance, hon. Members will see a proposed amendment to section 13 (4). There is no section 13 in the Oil Production Ordinance. That amendment properly relates to the immediately succeeding Ordinance, the Trading in Unwrought Precious Metals Ordinance, and I must accordingly formally move that the proposed amendment to section 13 (4) of the Oil Production Ordinance be left out.

Question proposed.

The question that the words proposed to be left out be left out put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, the next amendment is in connexion with the Trading in Unwrought Precious Metals Ordinance, which is the one following. I have two amendments to make to that, the second of which will be the replacement of the amendment which the Committee has just agreed to leave out.

Meanwhile, Mr. Chairman, I beg to move that in the proposed amendment to section 10 (3) of the Trading in Unwrought Precious Metals Ordinance the expression "Grade I" be left out.

This again is to bring the terminology into line with what it should be.

Question proposed.

The question that the words proposed to be left out put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, I now beg to move that the amendments to the Trading in Unwrought Precious Metals Ordinance be amended by inserting after the amendment proposed in relation to section 10 (3)—

s. 13 (4).—Delete and substitute—

(4) This section shall not apply to unwrought precious metal mined elsewhere and passing through Kenya in transit for exportation. . .

Question proposed.

The question that the words proposed to be inserted be inserted put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, I beg to move that in relation to the Branding of Stock Ordinance, on page 84, the words "Grade I" be omitted for the same reason as I proposed the omission of those words in relation to the last Ordinance.

Question proposed.

The question that the words proposed to be left out be left out put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, I turn now to the Trout Ordinance, which begins at the bottom of page 84 and continues on page 85, and in relation to the amendments to section 2, paragraph (e), which is on page 85 I beg to move that the words "Assistant Inspector" be left out and the words "Sub-Inspector" be inserted in place thereof.

This, Sir, is for the same reason as for the same amendment which I moved in relation to the Municipalities Ordinance.

Question proposed.

The question that the words proposed to be left out be left out put and carried.

The question that the words proposed to be inserted in place thereof be inserted put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, I now turn to the Land Registration (Special Areas) Ordinance, 1959, which occurs at the top of page 88. Hon. Members will see that one of the amendments proposed is to substitute new titles of offices for the previously existing titles. The proposed new titles have been changed again since the Bill was drafted and I therefore propose that, in relation to this item, the expressions "Registrar of Special Areas," "Deputy Registrar of Special Areas" and "Assistant Registrar of Special Areas," that is, the whole of the second column, be left out and in place thereof be inserted the

expressions "Land Registrar (Special Areas)," "Deputy Land Registrar (Special Areas)," and "Assistant Land Registrar (Special Areas)."

Question proposed.

The question that the words proposed to be left out be left out put and carried.

The question that the words proposed to be inserted in place thereof be inserted put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Finally, Mr. Chairman, I beg to move that a new item be inserted in the Schedule immediately after the item relating to the Land Registration (Special Areas) Ordinance, 1959, as follows:—

Public Collections Ordinance, 1960; No. 45 of 1960.—Insert immediately after section 11 thereof a new section as follows:—

Penalties. 11. (a) Any person who is guilty of an offence under this Ordinance for which no penalty is otherwise provided shall be liable to a fine not exceeding five thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

In this connexion, Mr. Chairman, I can only apologize on behalf of our Department, and enter a plea of confession and avoidance, that we unfortunately omitted in this Ordinance the penalties section, thus depriving it of any teeth, which we are now asking the Council to insert.

Question proposed.

The question that the words proposed to be inserted be inserted put and carried.

Schedule as amended agreed to.

Title agreed to.

Clause 1 agreed to.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Chairman, I beg to move that the Committee do report to Council its consideration of the Marriage (Amendment) Bill, 1961, and its approval thereof without amendment, and the Statute Law (Miscellaneous Amendments) Bill, 1961, and its approval thereof with amendment.

Question proposed.

The question was put and carried.

Bill to be reported.

The House resumed.

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

REPORT AND THIRD READING.

The Marriage (Amendment) Bill

Mr. Nyagah: Mr. Speaker, Sir, I am directed by a Committee of the Whole Council to report its consideration of the Marriage (Amendment) Bill and its approval thereof without amendment.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, Sir, I beg to move that the Council do agree with the Committee in the said Report.

Mr. Guthrie seconded.

Question proposed.

The question was put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, Sir, I beg to move that the Marriage (Amendment) Bill, 1961, be now read a Third Time.

Mr. Guthrie seconded.

Question proposed.

The Bill was accordingly read a Third Time and passed.

REPORT

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL

Mr. Nyagah: Mr. Speaker, Sir, I am directed by a Committee of the Whole Council to report its consideration of the Statute Law (Miscellaneous Amendments) Bill, 1961, and its approval thereof with amendment.

Report ordered to be considered tomorrow.

MOTION

SESSIONAL PAPER NO. 2 OF 1961:
RECONSTITUTION OF LOCAL AUTHORITIES

(Resumption of Debate interrupted on 14th July, 1961)

Mr. De Souza: Mr. Speaker, Sir, when the House adjourned on Friday, I was speaking on this Bill, and I think I should recap very briefly the reasons why this Bill is unacceptable to us, because it confines votes to property owners and wealthier elements of society.

Briefly speaking, Sir, I had six points. The first is that it offends against elementary principles of democracy, because those who are affected by laws must in our opinion be entitled to a say in the promulgation of those laws. This is the same thing as no taxation without representation; the same thing as saying that democracy is government for people, of the people and by the people. It has been our principle in national elections and other-

wise that we believe in the principle of one man one vote.

Secondly, Sir, if confined to the interests of a small class, it is liable that that class will ignore the interests and the welfare of other groups, particularly those of poorer classes, and to concentrate on their own interests. They will keep rates low and provide roads and sanitary facilities primarily for the wealthier elements of society. This particular proposition, I think, has been very well illustrated in Kenya.

Thirdly, in Kenya there is an added danger and a complication because of the coincidence of the wealthier classes and the immigrant races. This coincidence is more dangerous because it tends to accentuate the effect of the departure from democratic principles which are entailed in this Motion, and it also tends to accentuate and promote and prolong racial differences in this country.

Fourthly, the Bill, Sir, is a retrograde step compared to the franchise granted to this country by the Lancaster House Constitution. Whereas we should go forward from the Lancaster House Constitution to a proposition of one man one vote, we in fact here go backwards, and a large number of the people who were granted the franchise then are deprived of it in this Motion.

Fifthly, this system is quite unacceptable in an independent state. So even if this is passed, if this Motion is passed, and steam rolled by this Government with its nominated Members, majority, and a lot of money is spent by this Government on elections and preparations of electoral rolls, we on this side of the House when we go on the other side will be compelled, and indeed it will be our duty, to make sure that a new Bill is passed which gives equal rights of representation to all people irrespective of whether they do or do not possess any money. Therefore, I believe it will be a very great deal of waste of public money.

Finally, Sir, I believe that if persons are fit to vote in national elections, to vote for parliaments in this Legislative Council, then I believe they are also fit, and even more than just so, to vote for local or municipal elections in this country. The persons who vote for national elections, vote for a parliament which can make or unmake laws, including the making or unmaking of local authorities, and I feel therefore it is quite wrong that those persons who have been given the franchise already in national elections should be deprived of this vote in this case of municipal or local government elections.

(Mr. De Souza)

Now, these are the six main reasons why we oppose the principle of the Bill as such, but in addition to that there are three main aspects of the Bill which we oppose particularly strongly. The first one I stated, very briefly, last time was the question of a company vote. Not only does this Bill give a great weightage to the wealthier classes, but it adds another element of vote to the wealthier classes who happen to be the immigrant races in this country. This is, of course, a manoeuvre to strengthen the vote of the upper class.

When I was speaking here last time, Sir, I heard the hon. and gracious lady, Mrs. Shaw, tell the Minister that this must exist in Britain, and I think I heard the hon. Minister say that it is covered by the property vote. Now, when the hon. Minister is replying to what I am saying this afternoon, I would be grateful if he goes into all the detailed points I have raised and not merely stand up and say that this is racialism, this is taking the country to chaos as another Minister did the other day, so that some columnists can write in the paper that we are squirming under the onslaught of the Minister I would like to assure the Minister that we make points because we would like them to be answered, if in fact they can be answered.

The Minister for Local Government and Lands (Mr. Havelock): They can; they will be.

Mr. De Souza: I am glad to have the assurance that they will be answered, but I very much doubt that he can in fact answer them. The main point about the laws of England is that I would like the Minister to state quite categorically whether in fact the municipal and local government elections in England provide a company vote, whether they provide a partnership to have a right to vote. If they do not, I would like to ask him why Kenya should be in such a special position and why Kenya should provide companies and partnerships with a vote.

Secondly, I would like to point out certain practical possibilities and certain practical difficulties which arise in a company vote. Why should companies which are literally bankrupt or do not function have a right to vote. The Minister is aware, or should be aware, that a large number of people own and run companies and write off their income tax losses or for purposes which are other than very altruistic or loyal to this country. I would like to know why they should have the right to vote.

This brings one to the difficult position, that any person who forms a partnership of two or

more persons and gets a trading licence can have the right to vote. If I, for example, wanted to increase the number of votes that I have in this particular case I could join with 50 different people and form 50 different partnerships. It would take me exactly ten minutes to get a partnership agreement drawn up. I would then buy 50 different trading licenses; they could be in the same premises or different premises. I would then have 50 different votes. I would like the Minister to inform the House whether this is true, whether a person can in fact by forming 50 different partnerships and buying 50 different trading licenses have 50 votes, and if so, why this should be so.

Then again we have this point, that if I float 50 different companies in a particular constituency, does each one of these companies have a vote? If so, why should every limited company have a vote just because it is registered and has a licence of some sort?

A further point arises. How does a company—I think this is very important for the Minister to listen to—decide for whom this company is going to vote? Do we have a meeting of shareholders which decides that they are going to vote for Mr. Johnson against Mr. Tomlinson or whatever the people's names are? If so, do we have a simple majority or do we have a two-thirds majority? If it is not a meeting of shareholders, do we have the solemnity of a board of directors meeting which decides for whom this company is going to vote; how must this board of directors meeting be held, and what must be the quorum; what should be the majority; how does the voting take place; is it governed by the number of shares each person has or is it according to the number of persons present at the board of directors meeting?

Then, Sir, do we amend all the memoranda of associations of all companies in Kenya, because I am sure if one goes through them very carefully one will discover that not one of the companies mentioned in Kenya has in its memorandum of association and aims and objects the right to vote. Now, if all this is true, if this is the case, then we should strictly have a companies' meeting to decide for whom to vote, but where is, then, the principle of the secrecy of the ballot paper? For example, I would like to picture Barclays Bank in Nairobi, going in all its stature, to exercise its right to vote in a municipal election. Do we have a board of directors' meeting in Nairobi, or do we have it in London, and exactly how many votes does Barclays Bank have?

I myself am fully conscious of the fact that some persons in Kenya own about seven or eight

[Mr. De Souza]

companies which do not function at all, and they therefore have about seven or eight votes. I would like the Minister to answer these specific questions. I know a specific case; I would like to know why this person should have seven or eight votes and I, poor chap, have only one vote. Maybe, of course, I do not have the money he has, or I do not have the intelligence of floating all these numbers of companies which could be floated. The stamp duty, of course, might be prohibitive, but I would like to ask the learned Minister if he thinks it is only the ability to float companies which should provide a person with votes.

Now, what happens in the case of partnerships? What happens if partners do not agree for whom to vote? Do they in these partnerships have a majority in decision or do they just wind up their partnership or do they not vote at all? Are we not sowing the seeds of great discontent in partnerships?

Sir, I cannot understand all this. This is obviously a very last-minute effort to bring as many votes as possible to the upper classes. I think it is a very half-baked, ill-advised method of doing so, and I would earnestly request the Minister to withdraw the company and partnership vote. It is quite ridiculous in its application and it is quite undemocratic and inequitable in its application.

Now, the next point I have already mentioned is the question of nominated members. I believe this principle is wrong. I have already stated this, and I am sure some of the other hon. Members who speak on this side of the House who speak will dwell at greater length on the question of nominated members. We believe there is far too much weightage on behalf of the upper classes. There is no need for the Government to nominate members for so-called statal organizations, or para-statal organizations which will, of course, be organizations whose chief officers have been appointed by the Government who will naturally vote as the Government directs them to do.

Then we have the question of nominated members to represent religious and racial elements. That, I think, is quite a disgusting feature. I think we are getting away from this particular aspect; there should not have any more nominations. As it is there is so much weightage in this particular Bill in favour of the minority I have the feeling that the Minister is afraid that if his provisions really do take effect we may find there is not a single African Member in the City Council of Nairobi, for example, or in fact so few that he will feel that he will have to nominate a few Africans. I believe that what we in fact need is

just an equitable form of representation and should not try to have all sorts of juggling with figures and juggling with franchise, and then try to correct it because we are afraid what the Minister will do is probably merely accentuate the differences, and make the weightage on one side even worse.

Now, Sir, of course, I come to the question of the boundary commission, and I have stated quite clearly that we believe there should be an impartial, independent boundary commission to deal with this. I do not want to go into this again, but I do want to say quite clearly that we on this side do not accept the boundaries which are made by civil servants as they want them to be. We believe this must be by a completely independent commission which will so divide the constituencies as to make this in actual fact a common roll.

Now, the last point, Sir, and I think this is in fact the most important point is what I call the multiple vote. This again is where the Minister can give us a very clear assurance, and I would like first of all to ask him a very clear question. If a man has a business or trade and he has 20 branches, does the man have 20 votes, because I inquired on Friday at the City Council of Nairobi and they said that if a man had branches or properties in 20 different constituencies he would in fact have 20 different votes. I know persons who have in Nairobi itself a vote almost in each ward of the City Council even though it is on a racial basis. Similarly, Sir, a man can therefore have 20 votes if he has 20 branches in 20 different areas. Again he may have a business in an area, he may have a plot in another area, he may have a house in another area, or more than one plot or house, and he may live in a fifth area; so it means that in fact he has five votes, and this is nothing particularly exceptional; it can happen to a large number of people, if they have the money. Add to this the complete disbalance which is created by the company vote, the partnership vote, and we find that we have got completely away from the principle of one man one vote. We have, in fact, got such a tutored, such a tailored constitution, that there is no semblance to the people whom this particular constitution is supposed to cater for. So we come to this conclusion: that in this country provided a man has got money, he may have ten or 20 votes, and if they do not have money, then 10,000 people may have no vote at all.

Now all those facts, Sir, contain, in my respectful submission, the trimmings of what is almost a fraudulent constitution, and I ask the hon.

[Mr. De Souza]

Minister to withdraw this White Paper. In my submission, in my opinion, it is not worth the paper which it is printed on, it is not worth the ink with which it is printed. I believe that it will have to be amended, completely altered, and have to be scrapped right now. So it is wasting the time and the money of this House and the time and the money of this country, on a Bill which is quite unacceptable to us and which will have to be scrapped at the first available opportunity, and I would very earnestly request the hon. Minister to withdraw it right away.

Mr. Shah: Mr. Speaker, Sir, I also feel that this Sessional Paper should not have come in the form in which it has come. Clause 2, Mr. Speaker, Sir, states that the local government decided that the constitution of the local authorities should be reviewed and the opinion of the local authorities taken into account. At that time if the Ministry had taken the opinion of the political institutions also, perhaps the Sessional Paper would have been in a different form. My party, that is the Kenya Freedom Party, inquired about this and they were told that the Ministry is interested only in getting the opinions of the local authorities. This is very important and affects the whole country and since it is being debated in this House, the Minister would have been wise to have taken the opinion of the political parties into consideration.

Mr. Speaker, Sir, the whole basis of this Sessional Paper is founded on the Lancaster House Constitution. Perhaps in the circumstances if it had arrived here about 15 or 20 years ago people would have accepted this sort of thing, but things are moving so fast all over the world, especially in the African Continent, that this Paper one can very easily say is out of date.

Mr. Speaker, Sir, may I quote here a short story which is very well known in certain parts of India. The story is this: in one of the princely states in India under the British régime, Mr. A. applied for a police band to be provided on the occasion of the marriage of his son. The application went from one department to another, and from one person to another person. The police band did arrive, but it arrived on the occasion of the marriage of the grandson of Mr. A. instead of that of his son. In this case, also, the Sessional Paper would have been all right perhaps as a temporary measure in March of 1960; it is clearly too late in July, 1961.

Mr. Speaker, Sir, as has been said by other speakers and by me in the past, this is the

period, and we should emphasize it, when we in this country are trying to create a nation, a nation of citizens called Kenyans without discrimination on the grounds of race or tribe, we have to achieve unity among the people of this country and this has to be achieved through the creation of nationalism as against racialism or a society based on religion or tribalism. It has to be remembered that people, whatever their race, religion or tribe, are citizens of Kenya in their own right. Before us there is the great task of creating a new society which this country has undertaken, and this new society of people will have full opportunities of growth. Mr. Speaker, these ideals cannot be achieved if still in July, 1961, this House approves provisions to keep some seats reserved on the basis of religion and race.

Mr. Speaker, Sir, with regard to the question of aldermen, the argument has been advanced that since this provision is prevalent also in England why should it not also be in this country. I do not know the conditions prevailing in England, but as far as conditions in this country are concerned, and as far as our desire to achieve undiluted democracy, both at central level and local level, is concerned, I feel the provision of an aldermanic bench is going to defeat those ideals. We should not create a class of people within the local authorities which will retain a power of balance within the councils. What we need is proper elected members on the basis of one man one vote, being given the full authority to make decisions as far as their authorities are concerned; be they municipalities, local district councils or county councils. The provision of aldermen will defeat, and I should say there should be no provision for any number of aldermen at all.

Another argument, Mr. Speaker, Sir, is that the provision of aldermen is made on the basis that they should retain certain persons with experience on the councils. I beg to differ here, Sir; there is no need for this. Any individual who is capable of being elected on a council has the common sense, and since he is a resident of that particular area, any member, even if the whole council is a new council, will be, in my opinion, fully qualified and able to perform his duties because they know their problems. They will know their problems and they will have the sense to judge the difference between right and wrong. There is no need for the experience of other councillors, because you will have officials of the local authorities always at their service to advise as far as past works are concerned.

[Mr. Shab]

The same situation applies in this House, for instance. There is not the provision of any members here on the grounds that there should be some older people in this House who should be retained here. Of course, we have here National Members who can be compared with aldermen, but it is quite clear that this is undemocratic and we want these National Members as well as the reserved seats and nominated seats, too, to be abolished as soon as possible, and that will happen when the next election takes place this year.

Mr. Speaker, Sir, the last point I would mention is about the local government service commission. In principle, I do agree with the establishment of a local government service commission, but the idea behind this and one of the reasons given by the Minister was that he wants to treat expatriate local government officials in the same way as the civil servants who have been termed as expatriates are treated by giving them extra salaries and extra allowances, etc. I beg to differ on this. It will not be a sound principle, that in local government there should be certain officers drawing higher salaries under the pretence of them being called expatriates. Other officers doing the same work would be called local officers. The argument might be advanced, Mr. Speaker, Sir, that if you do not make this sort of provision there is a danger that some officers might leave the service and perhaps leave the country, and our local authorities would be starved of these people and the services would go down.

As I said while we were discussing the Fleming Commission's provisions, the alternative is only this, that those officers whose services cannot be replaced by others, you can have them on contract, and one can know for how long, perhaps, we could require certain officers and make a contract for that period, maybe three years, maybe five years, maybe seven years. Even if you have to pay a little extra on the basis of contract, because you need his services, there is nothing wrong in it. But you should not create two types of permanent services in any sphere. The Government has made a mistake to create two types of services in the Central Government and by making now another mistake you cannot say that we are doing justice. One mistake has been made, but that does not mean that we should repeat the same mistake in the sphere of local government.

Mr. Speaker, before I sit down, Sir, I will repeat that the Minister should withdraw this Sessional Paper and immediately bring in another Paper which is based on completely full

democracy, because if you try to bring in a Bill based on this into effect and to put it into practice, then you will see that the Central Government has advanced so much and that independence has arrived in this country, and the Central Government is based on undiluted democracy, you will be keeping the local government right behind the other. That will not work, in any case, and you will have to bring in another Sessional Paper within a few months, even if this is not changed. Therefore, Sir, why not change it in time and bring in a measure which is in accordance with the times?

Thank you, Sir.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, I rise to support the principle of this Sessional Paper.

I think, Mr. Speaker, that the principle aimed at and produced in this Paper is right, indeed, that all local authorities should be brought down to the same level. They should be put on the same code so that we know throughout the country that a uniform code does apply to all local authorities, be they county councils, district councils or municipalities. This, Mr. Speaker, is a commendable step, and I wish to congratulate my hon. colleague the Minister for Local Government for having taken this step at this time and for having led the country in thinking out this progressive line of action which removes all the differences between the local authorities which have pertained today, to bring it into one line, one code, under which we can know which way the country is running in local authorities.

I agree fully, therefore, with the spirit of this Paper because in the past we have had considerable differences in local authorities which have in certain areas been very discriminatory against the Africans and in other areas very discriminatory against the Europeans. Now, Sir, this sort of thing, in a progressive country like Kenya, has to be brought to an end promptly, especially as we are marching on to independence. This Paper, therefore, in abolishing discrimination and differences between local authorities has done just the sort of thing that we would like to see done.

Having said that, Mr. Speaker, and agreeing fully with the principle of this, naturally it is not a perfect Paper because perfection is hardly to be found on earth. You can only find perfection perhaps in Heaven. There are a lot of things which perhaps need some correction in the Paper, and, Mr. Speaker, I want to turn my attention to some of these things which I consider we can very easily do without and improve the situation.

[The Parliamentary Secretary for Finance and Development]

I agree perfectly well with the opening paragraph, Mr. Speaker, when the Minister quotes from the Report of the Kenya Constitutional Conference, that the intention of Her Majesty's Government is to bring up this country into a system of parliamentary government, and that to achieve a general acceptance of the rights of all communities to remain in Kenya and to play a part in public life is the intention also of this Paper.

Now, Mr. Speaker, I think that we must not be blinded by these principles, by these statements, and state that since we have made such declarations that everything else in the Paper is right or that everything else we intend to do or are going to do in that Paper is all right. I do not think so, Mr. Speaker. I do not agree fully, for instance, with paragraph 3 where the Minister proposes that those who contribute to the maintenance of the local authority should be the ones to decide on how it is to be governed. Mr. Speaker, Sir, I do not agree entirely with the principles implied in this statement because there are lots of people who by some misfortune are unable to contribute to the maintenance, financial or otherwise, of a local authority. These men may not be fools. For instance, a fellow may have his parents dead and be unable to go to school. He may have a first-class brain, but because he has not had the opportunity of getting education, or been lucky enough to inherit money, he cannot make the grade and may remain a poor man for a very long time. But it is a pity indeed that a man of that sort should be precluded from contributing to the management of a local authority since he might be so capable as to bring in improvements to the local authority management which might be of assistance to the whole community. I think that we should consider individuals rather than consider what fortunes they have had. If a man happens to be unable to contribute materially to the maintenance of a local authority that should not preclude him from voting. I suggest that when the Bill is drafted the Minister for Local Government should look again at this principle. It may apply in other countries. I understand that it applies in Britain. It does apply in other countries. But again, I should say that although we follow the British example we certainly are not living in Britain and we would like to see our country run on principles which are more justifiable in certain respects than are to be found in other countries. I think that in this particular aspect, Mr. Speaker, we are going a little too far to preclude people from contribut-

ing or participating in the management of a local authority merely on the principle that they are not putting in anything to sustain that local authority. I think that that is not right. There are lots of Africans and Asians who will be excluded from participating in the management of a local authority.

Now, Mr. Speaker, without repeating the already overstated position that many people are allowed to vote in the national elections who under this particular paragraph will be excluded, apart from repeating that, Mr. Speaker, I think that it is not right in principle to allow a man to vote in the national elections, to allow a man to take on a responsibility as high as returning a Member to the Legislature, to allow a man to decide who will make the laws of the land, and yet deny that same man the right to say which way the houses should face or which place the road should be in in his own area. I think he should be allowed a chance and should be given the right to decide where the water pipes are going to pass and where the roads are going to be, where the houses should be built, or where they should not be built, in his own area. Sir, I think this is a weakness which I do hope my colleague, the Minister for Local Government will look into and attempt or try to rectify before it becomes law.

Under paragraph 5 (4), Mr. Speaker, I again differ considerably with the Minister when he suggests that businesses should have votes. This, again, has been stated several times, but in that paragraph as well as paragraph C, I think here we are really being given such extreme capitalistic considerations that it is not quite right to maintain it. This does mean that a person without money to go into a business will have only one vote, whereas the lucky chap who does well by winning a sweepstake or a football pool, or something else of that kind which gives him money, and is able to go into business, this fellow will have 20 votes, however foolish and however stupid he may be, whereas the more intelligent man is perhaps denied the vote, he has only got one vote. I think that this question of giving votes to corporate organizations is not quite right. We should limit the vote to the human head rather because a man who votes in his constituency for a certain group of people, it does not matter where he works or what he does or what other business he has, because he will again, using his corporate vote, vote for the same group of people. Granted that, in short, that group of people will go in, but how do we know that this man may be using his corporate vote to maintain his position, to bring in the kind of people who will only go up and carry on maintaining the

[The Parliamentary Secretary for Finance and Development] I disagree, Mr. Speaker, with the principle of voting which is based on wealth as this proposition here makes it. That a man, because he is in business, or because he is in a profession, should have another vote! I think that is wrong. And also that a man, because he is in business with another friend of his, a partnership or a company, that such an organization which can be killed by the partner disagreeing or the company being dissolved, an organization which bears hardly any responsibility as such, an organization which, apart from law, you cannot separate from the individuals who constitute it, I think, Mr. Speaker, this is not quite right, that such a system should be extended to local authorities.

Mr. Speaker, proceeding on into paragraph 10, I find that the franchise, as it is proposed, should be the same for African district councils. I agree with that, that as long as the franchise is going to be heads only, and not corporate bodies, it is an acceptable thing. As long as we are not going to consider any racial differences, Sir, then this is an acceptable thing. What I would like to know, Mr. Speaker, is what does the Minister intend to do in the case of chiefs? Are chiefs going to be some of the people nominated as it is suggested in paragraph 7 (h)? Are they going to be some of the people to be nominated? Will they be aldermen or members of councils? Mr. Speaker, I think that if that were done it would maintain the present position whereby you find that a chief goes to a district council and along with him goes an elected Member from his location. The councillor may disagree on something, on a principle, on a vote, and that when they go back to their location that disagreement continues. The chief and the councillor are then at loggerheads for as long as they live in that location because they have disagreed in the council. The result is that the administration in the location is breached and it cannot function well because the councillor is at complete loggerheads with the chief, so that whatever the chief suggests the councillor opposes; whatever the councillor suggests the chief opposes. Now, this is an unhealthy position. Where you have got a chief and a councillor, the councillor is the legislator and the chief is the executive who is going to put this law into practice, and they will conflict in the district council. They will then carry this dispute home and they will carry on disputing this thing, and the administration of their area will deteriorate and it will influence the morale and the spirit of the people in the location. I suggest that to get rid of this plague, this dangerous situation, whereby

the people are divided by the chief being at loggerheads with the councillors, this position can be terminated by excluding the chiefs from district councils. The chiefs will remain the servants of the district councils and should not participate in the district councils. This problem should be approached with care because there are certain areas in which it may not be quite practicable to do that. I am glad, Mr. Speaker, that the hon. Minister for Local Government is back. I was saying that for the chiefs to be retained in the councils is not right. But in certain locations it may be necessary to retain the chiefs in the local councils because, perhaps, they are the most capable people in the district, the most progressive element in the districts.

The Speaker (Mr. Slade): I must remind hon. Members that they should not pass between the Chair and a Member who is speaking. Two Members have just done that in succession.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, that is something that presumably should be put aside, but in such a location where the chiefs are the most aggressive people, because education has not penetrated deep enough, because the population is not sophisticated enough to participate in a district council, then perhaps there may be some room for the appointment on a temporary basis of chiefs in a district council. But in other districts where there are a sufficient number of people to participate effectively in the district councils then I submit, Mr. Speaker, that the chiefs should be completely excluded from the district councils. I do hope that when the Bill is drafted the Minister for Local Government will bear this remark in mind. I come from Central Nyanza and I find that as good as our chiefs are, very often they have to carry the work of Government and that is very often the correct thing to do, but because they are instructed to carry it out, and very often because they misunderstand the instructions, they try to force it through. In forcing it through they are at loggerheads with the public, and thereby they lose an opportunity to explain things. Then when they go to the councils they clash with the members from their district and then the situation gets worse. If the chiefs remained in their locations and did not go to the councils, and got the councillors to make the laws for their districts, and the by-laws for their locations, then I submit that the situation would be very, very much improved, because the chiefs will maintain their position as executives and not try to meddle in the process of law-making.

[The Parliamentary Secretary for Finance and Development] I would like this to be taken into consideration, and I do hope that the Minister will take this into account.

In the locations there are the locational councils which the Minister mentions lower down. Locational councils should, I think, also be treated on the same principle, that the people elected in the locational councils should be allowed a free say in how they would like their location to be run. It is granted that if they suggest something which is contrary to Government policy, then it is quite natural that they should be told that the limits are laid down and the Ordinance as a whole will give such limitations. But, here again, I do believe that the removal of the chiefs' power in the locational councils will help immensely in the development of the locations. The councillors can canvass public opinion and put it across in the locational councils and make those ideas work. When they know that whatever they suggest in the locational councils the chiefs, for whatever reasons, and most of the time it is only for reasons of their ego, will oppose them, Sir, they go to these councils with the preconceived ideas of opposing the chiefs and not proposing anything progressive. If they knew that the chiefs were not there to oppose them, then I believe that the locational councils would contribute far more to the development of the country than they are at present. I suggest, therefore, that when the Minister does draft the Bill he should again take into account these remarks of mine that the locational councils should also perhaps be rid of chiefs.

These are very important points because if we do not separate and maintain this principle of attempting at all stages to separate the legislature from the executive then we are running a risk. Mr. Speaker, of merging, or going into a system which you have in England which we in Africa cannot maintain. The English system is based almost entirely on the goodwill of the English people and to their own understanding of the British democratic conceptions which are, perhaps, to use a phrase, inborn in them. They know the things which are done and they know those which are not done, because it is their tradition and their way of doing things. They live by that and they are brought up that way. The rights of individuals, and tolerance—all these things are absorbed by the child as he grows. But in Africa, can you really achieve that where these precepts and concepts are not taught to a child while he is growing and while these things are not brought into the child's mind right from the time he is a kid? It is very, very difficult,

Sir, and if we try to import completely or entirely the English system of doing things out here, then I am afraid, Mr. Speaker, that we will run into difficulties because our people cannot, and for a long time, will not, be in a position to behave like the British, for the simple reason that the country is different, the weather is different, the birds are different, the rivers flow in a different way. These very things do affect the thinking of people. Therefore, Sir, I suggest that the remarks I have made should be taken into consideration by the hon. Minister for Local Government when he comes to draft the Bill.

Now, Sir, the hon. National Member, Mr. De Souza, suggested during his speech that the boundaries of wards should be decided on by some independent commission. I am not quite sure of this, Mr. Speaker, but I think that this is the concern of the Government in power. If the hon. gentleman is in power at that time, at the time when the Bill comes into being, which I hope he will not be in, then, Sir, they will have the opportunity to decide on the boundaries. But, Mr. Speaker, the Government in power should have a say in this because if we do not do that then we are giving somebody power and not giving him the responsibility for using that power. You will get a chap on the Opposition saying where the boundaries should be and he is not responsible for controlling the boundaries. I think that that would be very, very irresponsible and I do not support that sort of thing. The people who have the power should also have the responsibility to see that their power is used.

If the hon. Members on the opposite side wish to have a say in how these things are being done then we on this side have said time and again that these benches are open to them; they can come and sit on this side. They will then have the opportunity, all the opportunity they want, to say which way the boundaries for constituencies for wards, and for all those things, should go. But, Mr. Speaker, while they are sitting on the other side and doing their constitutional job to oppose, then I do give them the opportunity to carry on opposing, but I do not think we are going to relinquish our duties and powers to do these things along with the responsibility to the country for having done these things. I repeat that if any one of them is interested in sharing in this responsibility, well and good, let him make the move and he will be welcome.

Mr. Speaker, when you come to discuss in this Bill the question of the position of nominated members, I again must differ with the hon. Minister for Local Government when he suggests this, but I suspect that his purpose in maintaining

[The Parliamentary Secretary for Finance and Development]

nominated members in councils is that in certain places it is desirable that certain nominations may be effected. For instance, Mr. Speaker, we may want in certain areas to maintain, as the Minister has said, a representative of the Railways Administration on the local authority. For obvious reasons it is desirable to have a man on the spot with the local authority to be consulted in such matters, and that this man should have the power to debate in the particular Chamber. For this reason, Mr. Speaker, I would say that if the Minister means these nominations to be of that kind then I do hope he will make it clear in the Bill that nominations should be limited to those kinds of organizations and not to give a particular person the power to nominate the kind of people he wants to push through the kinds of laws he may wish to have.

Going back to the district councils again, Mr. Speaker, I have noted that the Minister suggested that the constitution and the membership of the African district councils are at present laid down by the provincial commissioners after consultation with the council concerned. There is such a great variety of African district councils, Mr. Speaker, the Minister went on to say, at the present moment, that it would not be desirable to lay down any standard for the constitutions. I think that to leave this in the hands of the provincial commissioner in consultation with the present councils is very dangerous. Obviously, Mr. Speaker, the councillors who are in now want to stay in to keep a certain pattern going. Now, if we leave that entirely in their hands, together with the provincial commissioner, Mr. Speaker, I do not see how the ordinary person in the countryside will have a say in how this district council should be constituted. I think that the Minister should look for some other way to make sure that the council is constituted in the manner which is acceptable to the people in the district. I suggest that the question be put in some specific form, such as a "questionnaire", to local councils to decide to say what they think, or some other method of that kind that is a more direct approach to the people, rather than to leave it in the hands of the provincial commissioners and the district councils which are already in existence.

Mr. Speaker, with these remarks I must say that I support the principle of this Bill, the very principle that all the district councils, all the county councils, the municipal councils and townships are now being put on the same level and on the same basis. This, Mr. Speaker, I think is such a commendable step taken by the Minister

for Local Government that I am just bound to support him.

Thank you very much.

Mr. Kohli: Mr. Speaker, Sir, I would like to make a few observations on this Sessional Paper.

I fully agree with the second sentence of paragraph 3 of this Paper which reads, "In putting forward these proposals the Government has been guided by the principle that only those who have made a contribution directly, or who have made a sustained contribution indirectly, to the cost of local government service in a local authority area should have a say in its management."

Now, Sir, I consider that all those who have attained a certain age of maturity, that is 21 years, and who have lived in an area which is a local authority area for a certain period of time, should have a say in the management and in the local authority, because he has directly and indirectly contributed, in this sense, that he, by having lived there, enjoys the services rendered by the local authority, and he pays for those services, and in that sense I am of the opinion that the franchise should be only for those people who have attained that age and those who have lived in that area for a certain period, and that there should be no other qualifications.

With regard to paragraph 7, I am glad to read that in paragraph 7 (a) no change is proposed in the present law regarding qualifications for candidates except that any racial element is omitted. That I am very glad to see, that the racial element is to be omitted. I am surprised to read, however, in the last paragraph, in the last few lines of this paragraph, that in areas which are "not susceptible of division into wards the Governor in Council would, in exceptional circumstances, be empowered to order that councillors be elected to represent such religious and racial interests as he may decide on the basis of reserved seats elected by the electorate as a whole". Mr. Speaker, Sir, I do not envisage what such areas would be where that condition would arise where such a necessity would arise. I should like to know from the Minister—

The Minister for Local Government and Lands (Mr. Havelock): Kisumu!

Mr. Kohli: I am told that that would arise in Kisumu. I am most surprised at that because the people of Kisumu have always advocated one man one vote and if this paragraph is meant for Kisumu then, Mr. Speaker, Sir, I strongly oppose it.

In Kisumu it is well known that we there, all the races, all the communities, live together harmoniously. Even although a man of any race

[Mr. Kohli]

or any community may not have the majority in the municipal council he is still elected as a mayor. We there consider only the qualities and the abilities of the person and not the race or the community. I feel, Mr. Speaker, Sir, that instead of having such reservations we should try to teach the people of the area civic pride and civic duties. If one has got those rights and duties then there is no need for there to be any reserved seats for any particular person or community.

Mr. Speaker, Sir, I would agree that there should be aldermen because such aldermen are selected from past members who have served on the council for a considerable time and who have given their time for the sake of their own town or own area. They have got that experience and that is the reason they are elected, not on any racial basis.

Mr. Speaker, Sir, with those few remarks I would ask that the Minister should consider particularly not acting on paragraph 7 and the last few lines.

Mr. Chanan Singh: Mr. Speaker, Sir, if the people in Kisumu, as we have just been told, have always supported the principle of one man, one vote, then I do not see how the hon. Member who has just sat down can possibly support the franchise which is based on contribution to the revenues of the authorities. The two things just do not go together. Either it is one man one vote or there is some qualification for the franchise. I do hope that the hon. Member will think over this matter again and, if it comes to voting, that he will vote with us.

Now, Sir, the hon. Member from the Government Benches, the hon. National Member, Mr. Okondo, who spoke before the hon. Mr. Kohli, made a lot of useful points. He, in his usual way, congratulated the Minister on the very wise Paper that he has presented but he disagreed with him in almost every fundamental point in the Paper.

The Minister for Local Government and Lands (Mr. Havelock): Question!

Mr. Chanan Singh: The most fundamental point is the franchise and there the hon. Member did not accept the scheme of the White Paper. In fact, Sir, I feel if the hon. Member were to make a list of the points on which he agreed with the Minister and the points on which he does not agree with the Minister he would find that the points of agreement are not very many. Indeed, I congratulate the hon. Member on the forward-looking attitude which he has displayed in the Council this afternoon. I do hope other

Members from the Government Benches will show the same sort of attitude, at least, this afternoon.

Sir, may I read one sentence from a text book on local government? "When an Englishman speaks of local government he really means local self-government." Now, Sir, the term used in most parts of the world, at least these days, is local self-government. Local governments is a misleading term, especially in a country like Kenya. When you say "local government", you might mean the Kenya Government as opposed to the Colonial Office. The real meaning of the term is local self-government and now that we are making changes we might adopt this new term which is applied, as I said, in most countries of the world outside Great Britain.

May I make one other suggestion of a general nature. It is usual in many countries outside Britain, again, to divide the local authority of an area into two parts; one is the executive and the other is the elected council. The responsibility of the elected council is that of legislation and of laying down policy. It does not have anything to do with day-to-day affairs. The executive carries out the policy and looks after the day-to-day administration of the authority. I think if we had a division like that, in Kenya it would be of great help. It will not be necessary for the elected councils to meet so often, because the work of administration could be left to the executive.

The hon. National Member, Mr. Okondo, seemed misinformed on the question of the franchise in England. He seemed to think the qualified franchise described in this Paper has been taken from the United Kingdom. That certainly is not so. I believe in 1945 the United Kingdom assimilated the local franchise with the parliamentary franchise so that for local elections also there is adult franchise; these days, there is no difference between local and parliamentary franchise in the United Kingdom. Since, therefore, the United Kingdom has a long history of local government institutions and has found it necessary to give up a qualified franchise there must be a reason for it. We see the reason here quite clearly; they must have seen the same reason as clearly in the United Kingdom. I think we must follow the United Kingdom in this matter. If we do not follow, today we shall have to follow the United Kingdom perhaps six months hence, perhaps a year hence. Why not do it now while we are making these changes? That would also remove the cause of a very big complaint that we are disenfranchising some people who are interested in

[Mr. Channā Singh] the workings of the local authorities. After all, it is not the ratepayer alone who is interested in local authorities. The common man who lives within the area is just as much interested.

Now, Sir, we are told in these details of franchise that the owner or occupier of residential premises will have a vote. Then the Paper goes on to define an occupier. It says, "Occupier means a person who, for valuable consideration, is entitled under a separate lease or tenancy agreement to exclusive occupation of such premises". Now, Sir, in the past, occupiers, so long as they have lived within a local government area, have had a vote. This refers to a tenancy agreement and to "exclusive occupation of such premises". What happens to the occupiers of tenement houses? I do think the intention should not be to disenfranchise people who have had a vote in any case. If our suggestion that there should be adult franchise even for municipal elections is accepted, then all this will need revision. In any case, if that suggestion is not accepted I do suggest to the Minister that this definition of the word "occupier" should be changed so that anyone who occupies premises in the area of a local authority, whether as a lodger, a tenant, or as an owner/occupier, will have a vote. In any case, that has been the position in the past.

We must also remember, Sir, that the services that the local government authority provides are provided for the entire population. Why give the control into the hands of only those people who contribute to the rates?

I also support the objections that have been made against the proposal to continue to give votes to partnerships and companies. If votes are to be given to these artificial personalities, then I think it should be laid down in the law that no natural person shall exercise two votes. A limited company may have just been established and the people controlling the company just come from England, for example, and they in their individual capacity do not have a vote. It does not matter if they are given a vote under the name of the company but it should be made clear that no individual shall have two votes.

Again, Sir, under the paragraph headed "Areas and Boundaries" on page 2 it is stated that the boundaries will be demarcated having regard to "the area, rateable value and proper representation of the population". Now, Sir, the rateable value obviously means to indicate that where there is more valuable property there will be better representation. I

think that is wrong in principle. That will mean that areas which have not been looked after as well as they should have been in the past will suffer ill representation; areas like Eastleigh, for example, which have the biggest complaints that any area has had in the whole of the Colony, will not be as well represented as the centre of Nairobi. I think that again is wrong. If the value of property is to be taken into account, then the poorer areas should be better represented because it is those areas that need more attention than the areas which have already received a lion's share of municipal or local government services.

I also wish to support the views which have already been expressed on the question of the aldermanic bench. Now, Sir, it is quite true that this suggestion has been taken from England and the ratio of one-third has also been taken from England, but even in England itself there is dissatisfaction about the aldermanic bench. The argument there is that certain councillors who have served an authority for a long time and who are about to retire entrench themselves by getting themselves elected aldermen so that instead of retiring they perpetuate the membership of a local authority. At that age they are not fit enough and they are not good enough for the service of the authorities. In Kenya it has worked the other way. The idea of an aldermanic bench I believe is to give representation to those elements of the population who cannot undergo the trouble and expense involved in fighting an election but whose experience and whose knowledge is valuable to an authority. However, this has not happened in Kenya in so far as the Asian section of the membership of local authorities is concerned. As soon as a person gets on to a local body his first effort is to become an alderman so that he does not have to fight an election for another six years or perhaps nine years, whatever period it is. I think that is entirely wrong. Either the law must lay down clearly that no person who has been elected to an authority shall be eligible for appointment as an alderman or this provision for alderman could be abolished entirely. In fact, Sir, there is no need for aldermen at all. If you have elected representatives of the population they are good enough to look after the interests of the population. You do not need aldermen in addition.

[The Speaker (Mr. Stade) left the Chair]

[The Deputy Speaker (Mr. Nyagah) took the Chair]

The paragraph which allows the Governor in Council to nominate members to represent religious and racial interests is obnoxious,

[Mr. Channā Singh] especially in these days when we are getting away from undemocratic elements in all parts of our constitution. Religion, at least, Sir, has nothing whatever to do with politics, with either central politics or local politics. If the Government insists upon having this provision in the new law then it will be introducing an entirely undesirable element because wherever religion comes into politics there is trouble. There has been trouble all over the world. Look at any country where religion has been allowed to interfere in politics, and, in any case, it is the function of religion to provide what are called or what are supposed to be the spiritual needs of the people. Let religion look after the next world, but let this world be looked after by people who have experience of this world and who know what the needs of the population are. I think, Sir, religion and race should be left out completely from these matters.

Sir, may I comment briefly, on the proposals for the setting up of the local government service commission. The idea is commendable. I do hope that when this commission comes into being certain definite methods of recruitment will be laid down, and recruitment will not be left to the personal judgment of members. There must be definite tests of fitness. The only definite test of fitness, Sir, is a competitive written examination followed by an interview before an impartial board. However, there is one very disturbing feature in these proposals. It says somewhere that the commission will advertise vacancies and send forward lists of possible candidates to local authorities who will make the final selection. I think, Sir, that is a very dangerous provision. What is the use of a commission if the local authority itself is to make the final selection. The commission should be given the duty and the power to make a selection for the local authorities, and the local authorities should have no say after the selection has been made. Of course, before selection they can put up their recommendations and give their views with regard to all the candidates who are applying for posts, but once a selection has been made that should be final. Sir, that suggestion is not without precedent.

In England, I agree there is no such procedure for these matters. In fact, a procedure is just being evolved. I am sure in due course they will also have a central service commission whose decisions will be binding on the various local authorities, but as I say, they have not come to that stage in the United Kingdom yet. However, in Ireland there is a body called the Local

Appointments Commission. They look after the appointments and promotions of all professional, technical and chief executive officers and they make selections. A local authority desiring to appoint an official must make in Ireland an application to the Commissioners whose nominee the local authority is obliged to take. I think, Sir, that is a very good provision. It would do away with all charges of favouritism which are bound to arise if local authorities themselves are allowed a say in appointments and promotions. After all, a commission would consist of people who are competent in their job and who would be impartial. I think their decision should be final, and no local authority should be allowed to question their decision. They must take whoever is appointed by the commission.

In the same paragraph, Sir, paragraph 17, there is a phrase denoting one of the functions of the commission which is "to keep watch over the careers" of all types of local government officers. Now, Sir, what exactly is meant by keeping watch over the careers of all types of officers? Will they be receiving confidential reports from the heads of their departments; will they scrutinize their reports? If injustice is done to an officer, will they be able to interfere, or how will they keep watch over the careers of officers? In any case, Sir, I suggest to the Minister that he should add to the categories of administrative, professional and technical grades, "the clerical grades" also. I believe this will exhaust all officers apart from the manual workers.

Subject to these reservations—and I must say they are very major reservations—I support the idea underlying the Paper, but if our views on franchise at least are not accepted, then I agree with the previous speakers who have opposed the White Paper.

Mr. de Koochellah: Mr. Speaker, Sir, first of all, I will congratulate the Minister for Local Government for making clear the position of local government in front of us. He has been working under that Ministry for a long time, and certain local governments, I think, have succeeded and have made very great progress in other places. Also, there is a lot of progress which has been made in various African district councils, but I still would like to mention a few points which I think would be better if the Minister for Local Government would observe.

First of all, Mr. Deputy Speaker, Sir, I would like there to be some standing orders of the Council, as I know that some members on the African district councils actually do not know

[Mr. ole Konchellah] their positions well. They do not know their power in the council, and it would be a very good idea for them to have standing orders which would show them their power and what they can do in the council and what they cannot do. The standing orders would also make the position of the president, who is always the district commissioner in some parts, clear so that he would know what he could do, what he could tell the council to do or what he could not tell the council. In some other places, Mr. Deputy Speaker, Sir, there have been a lot of faults in the councils, especially on the side of the president of the council disagreed on a point, he could force the issue and say that it should be done. Standing orders would point out the power of the president and show him what he can and cannot do.

I would also mention about elections, especially in one particular place. Actually, I am referring to Narok African District Council. The election there does not satisfy the people in the district because it happens that the district commissioner, who is the chairman or the president of the council, elects chiefs and headmen. Each section would have a chief and headman in the African district council to represent it, and I think that it is not right only to have chiefs and headmen and a few others. In the last election I was elected as a member of the African district council, but because the district commissioner or the president did not like my ideas, he ruled me out and I was not allowed to go on to that council. I think that is entirely wrong and is an undemocratic idea.

The other point is about the funds of the council. The funds of the council are not very clear in some places. You find African district councils working or doing some job which could be done by the Central Government. Sometimes you even get people who are paid by local government, perhaps, to do some job on the side of Central Government, and I think that also needs some correction.

Also, the system of voting in the council: sometimes there is a confusion in some things or a disagreement, and I think it would be a good idea if the system of voting could be introduced in the African district councils.

The last point, Mr. Deputy Speaker, Sir, is about the training of these local government members and local government workers. For example, cashiers, secretaries, members and other people who work in local government I would say it would be a good idea if they could be trained by being given courses. Also, a mem-

ber of the council needs to go round to see some other African district councils and councils in other countries in order that they can copy good ways, and so that they may make a start in their own councils.

With these few words, Mr. Deputy Speaker, Sir, I beg to support.

Mr. Seroney: Mr. Deputy Speaker, Sir, I shall confine my remarks to paragraphs 10, 11, 12 and 13. I must congratulate the Minister for removing the final decision on the constitution of African district councils from the provincial commissioners to the Minister. The Minister is more accessible, especially to Members on this side of the House, and we can always put him on the carpet if anything is wrong. The provincial commissioners, for all they are doing for the country, are mysterious creatures who can always hide behind somebody else, who can, in turn, hide behind somebody else above him.

There is only one other problem which worries me, Mr. Speaker, and that is the nature of this consultation with the African district councils and others concerned. For example, next year there are going to be elections, in my own constituency for the African district council. Of course, my constituents want to know what is going to happen then. I trust, Mr. Speaker, that it will be possible to provide electoral legislation before the end of the year so that next year, when we have elections my constituency and other constituencies which will be holding elections it will be possible to hold elections under a new arrangement.

At present, Sir, in a good many constituencies, members are elected by the expedient of lining up candidates and then having their supporters lined up behind them. Whoever has the longest line is the winner. This method, I trust, Mr. Speaker, will never be repeated again because it has certain undesirable features. First of all, it provides for a form of moral intimidation, and I am sure that the people elected on a line-up would not necessarily be the same people as those elected on a secret ballot. I do trust, Mr. Speaker, that when the hon. Minister provides for methods of voting, I see no reason why voting should not be conducted along the same lines which were used for African elections in 1957. I trust, Mr. Speaker, that we shall not have elections in the way we in this House were elected. We had enough headaches with this ballot paper where you mark X. It so happens, Mr. Speaker, that it was easy to mislead people, and I heard of an instance where, about ten days before the election, word got round that you put the cross against somebody whom you did not want to elect. Of

[Mr. Seroney] course, I had to react sharply to that, and thank heavens no further damage was done. However, I do trust that it will be possible to go back to the 1957 system for these elections.

Mr. Speaker, with regard to nominated members, there are two categories; one of them is chiefs. I see no reason, Mr. Speaker, why chiefs should not be nominated to the district councils. At the moment, in some districts, the district commissioner is the president. It so happens that these chiefs are unable to take an independent line from that of the president, who is also their employer in the administrative set-up.

I do entirely support the idea of aldermen, but only to provide for continuity, because I do appreciate the danger of what might occur if everybody in the council is thrown out and you get a new council without anyone who has been in it and who is not experienced with procedure and what goes on in the council. So I do support the idea of having aldermen to be chosen by purely elected members.

As far as the nominated members are concerned, I have no very strong objections with regard to para-statal organizations, as long as they are not nominated to affect numbers so that they can exercise influence on the council.

I think it would be a good idea, Mr. Speaker, when the Minister addresses himself to the task of drawing up the necessary legislation, that he should cast an eye around the districts in order to avoid delay, to find out, and I am sure Members of this House will assist the Minister in putting forward the views of their constituents with regard to the nature of the constitution because, Mr. Speaker, I think there should not be undue delay before this is done. I understand that some district councils are due to hold elections this year. The hon. Minister might also consider whether it is possible to delay, slightly, these elections until it is possible to hold them under the new legislation, which I hope the Minister will, with deliberate speed, arrange to bring before the House.

With these remarks I beg to support.

Mr. Sagini: Mr. Deputy Speaker, Sir, I have a few comments to make about the locational councils. Unfortunately very little was said in the Sessional Paper about the locational councils. Well, I think the locational councils should follow the Central Government and the African district councils. There should be democracy. It is going to be very, very difficult to get democracy at the locational council level until you have defined the position of the chief. The chief is a civil servant who should not meddle in politics. At the same

time you find the civil servant who is the chief acting as the chairman of a locational council. Maybe some of you do not know here that the chief is very authoritarian and he is feared by most people, especially by the unsophisticated people in the country. I was once a member of the locational council, and know that what he says is actually more or less translated into reality authoritatively. In order to have democracy, the chief must not preside over the locational meetings. There is no such thing as pure democracy, but some kind of democracy. There, I agree with Mr. Okondo that the chief should not stand for locational council elections. Well, I think that at the locational council level we want a franchise that is based on one man, one vote. That is very important. We should get away from the directions given by the provincial commissioner, the district commissioner and the chief. The Government is a servant of the people and should serve them and they have a right to choose. That means to vote and if they do not want somebody they should not give him a vote but if they do want someone they should give him a vote, and those that are voted into office I think are higher than people who are nominated. I agree entirely with Mr. Okondo that the chiefs should be out: I do not hate chiefs but it makes it very difficult for democracy to work, Mr. Speaker, especially as it is very contradictory. Is the chief a civil servant? He is a civil servant, he is working for the Government. He is in the administration and therefore he should not be a chairman of the locational council. He is respected very much and we know that it is probably our fault, we Africans; our chiefs in the past were very authoritarian and this has been going on. It is a legacy of the past. This is the problem if we are going to talk about democracy. I do not know whether it is just mere suggestion, that the chiefs are said to belong to the clan or to the location and I wonder where they should be. I feel, sometimes, that they should be elected and there we are on the horns of a dilemma because the district commissioner is here and he should have somebody from the location to carry out his policies. So here it is very difficult to define the chief's position and I do not blame the Minister for Local Government here. It is a very difficult situation! Should he be a civil servant? Because if he is a civil servant he should be transferred like any other civil servant—he should go to Kisii, go to Kilifi, but he does not get transferred and stays in his location for life. It is a very touchy business, this one.

Another thing I would like to mention is on the locations that are very large. I think that the locations that are very large should have more

[Mr. Sigiil]

than one locational council to make it simpler to work and that would also help make provision for people to practise in a democratic government. In other words, to learn something about democracy by having an extra locational council.

Well, another thing I must say, and this has already been said, is about the nominated members. I think we should get away from this because it is most undemocratic and very often those that are chosen or nominated seem to be "yes men". We are not allowed to use the word "slooge" here, so I will say that they are called "yes men". I think we should get away from this.

Another thing is about the aldermen. I think he is a man who has been in office for years and who is very experienced. If he is very experienced he should win an election and go into office. I do not know the purpose of the aldermen.

That is all I have to say, Mr. Deputy Speaker.

The Parliamentary Secretary to the Chief Secretary (Mr. Amalemba): Mr. Deputy Speaker, Sir, this House has been asked to approve the policy on the reconstitution of the local authorities. The details of this policy I suppose will be embodied in a Bill to be introduced in this House. What we are asked to do is just to approve that policy in principle and raise whatever suggestions or objections we have when the Bill comes to this House which will provide us with chapter and verse of everything that we are worried about. I would like to congratulate the Minister for introducing this new idea of getting rid of the old features that divided our country into racial regions. We had county councils, and by that we understood that was a local authority which had predominantly Europeans in it. Then we had this racial body, known as the African district council, which gave no doubt to anybody that it was a predominantly African organization and I am glad that this has been got rid of. I am not very happy to read that it will have to be done gradually. It should have been done immediately this paper was approved.

The question of chiefs being civil servants and therefore not participating in politics is a very difficult one. It depends on who is talking about the chiefs. If you have been in good terms with your chiefs you will support them participating in the local authority. There are some very intelligent chiefs, the people who have held our country very high up in fact, some have held the councils to which they belong, together. They have been the people who have thought and engineered policies that have uplifted the policies

of their particular and respective African district councils. There are some bad ones, those that we do not want, whether they were civil servants or not. I think it would be wrong to generalize by disqualifying all the chiefs from helping in our local authorities. I would hesitate to disqualify them from locational councils. Locational councils are the small bodies in the different areas, smaller than the African district council area, and those who are championing the cause of the citizens of that small area should definitely be on the locational council to give, if nothing else, guidance to the councillors, some of whom are very ignorant of the procedures. I have always liked to think of local authorities not as political organizations; having been on the Nairobi City Council for several years, I used to count myself as a domestic politician, domestic politician in the sense that we talked about nothing but water, buckets, roads, hawkers' licences, things that are domestic to anybody. Whether you are a mayor or a landlord or a businessman you want to have those facilities. Any organization of a local authority that brings politics into it has always failed, particularly in a country like Kenya where we have so many racial groups each asking for their own racial recognition. We succeeded in doing a quite a lot on the city council when we ignored our racial representation but the moment Europeans asked for something for the whites, the Africans asked for something for the Africans, we disagreed and nothing was done. I would like to feel that local authorities are regarded as a domestic organization to deal not with the political aspect of a country or an area but the domestic matters that concern day-to-day activities.

Mr. Deputy Speaker, ward councils started formation in Nairobi. I happened to be the chairman of the first ward council when it was created. I did not like the powers that this council had because it was advisory only to the city council and to the Government, and whatever the feelings that ward council had they were only advisory, to be accepted or rejected by either the Government or the city council. The reason they gave us was that no more powers could be given to a ward council, making it a local authority within the jurisdiction of another local authority, and so I feel that until powers and definite duties are given to ward councils, they may not be as effective as we might think. When we feel like doing something they say, "All right, that was only a ward council's view, we are the council to decide", and throw it overboard. So that is one request that I would like to put to

[The Parliamentary Secretary to the Chief Secretary]
the Minister, that if we use the words "ward councils", they will have definite specified powers that will enable them to function like a council and not just advisory to either Government or the local authority concerned.

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

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

Mr. Speaker, Sir, the pattern of our local authorities is based on the British local government system. This is Kenya and I am not sure that we are right in copying in total the local authority system from Britain, a country that has a different set-up, a different mentality and understanding; they have had this sort of thing for more years than ourselves and I am not sure that it will be right for us to copy that system and impose it upon this country. I had the fortunate occasion of studying local authorities in Britain. I stayed in a place called Guildford in Surrey and all that I learnt could not be transplanted and used beneficially in this country without upsetting the set-up here. I am sure there is something in our trying to work out a system of local authority that fits into our set-up, get the basic principles but make them to fit into our own set-up, taking into consideration the different racial groups, the different tribal customs and the different levels of civilisation and background. For instance, Mr. Speaker, when we talk of by-laws, do we understand them, we Africans, in the same way as a citizen in Britain would understand them? When we pass by-laws in a local authority prohibiting hawking and that sort of thing, are we really taking into consideration the interests of the local people who would be affected? Where our economic background requires hawking, regardless of whether it is in front of a shopkeeper, is it really in the interests of the people to prohibit it? There are some attempts in Nairobi now to stop hawking: these attempts have failed. I am not saying that Government has been inefficient, I am not saying that the execution of the by-laws in Nairobi has failed, but go to the African estates in Nairobi and between Makadara and Kaloleni, on your left as you go eastwards, and you will find a crowd of men and women selling without licences so many goods and yet there are by-laws stopping that sort of thing. They have tried to arrest and prosecute people and have failed. Now is it reasonable to continue having that sort of by-law in our local authority when it is not in

keeping with the feelings of the people? That is just one example.

Now, Sir, I visited Nigeria in 1958 and in Ibadan, in the shopping area, I found women selling in front of the shops. If you took the example of Nairobi, Sir, the whole of River Road pavement would be covered with women selling things immediately in front of the shops, with no word from the Asian or the trader inside. They are getting their money and the hawkers are getting her money. It is as they want it and they have got no complaints. I am sure that if we considered all the circumstances when we introduced these reconstitutions, so that they are based on the local requirements, and not just to impose foreign customs of local authorities, we shall be doing our country a good service.

I also expect that with these reconstitutions we shall have such services as nurseries, and various other facilities that other local authorities of this kind we have got for their citizens. You will find that it is only in bigger townships, Nairobi, Nakuru, Mombasa, etc., where there are nursery schools, where mothers can take their four and five-year-old children to Sir, to learn the singing and playing in the sand and that sort of thing, learning the discipline of a child. But as soon as you move from these townships the children are at a loss. They have no activities. There is no activity for them outside the townships. I am hoping that this will be considered when the reconstitutions take place.

I am also glad to know that the Local Government Service Commission will be introduced to help the other organizations, such as African district councils, and poorer areas, where suffering has been a problem to help them to find the staff to help them run their organizations. Here again, Sir, I must go to Nigeria. In Nigeria they do not have these terminologies of town clerks, or mayors. They have taken their local phraseology and terminology, the phrases which are understood by the people, and the people understand what they mean when they go to a council meeting. Now, will it be in keeping with our African independence to continue using terms which are of a nature that will not be understood very easily by the people of this country? When I say "people", Sir, I am including all the people who have decided that Kenya is their country.

The Opposition have done their duty to oppose this Sessional Paper but I think it became childish when one opposes such an obvious step which is in the right direction. Some of us laugh when we see an hon. Member on the opposite side standing just to oppose because he feels that that is his

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duty. I think that where there are definite steps to improve the *status quo* we should support and suggest such alterations or amendments as would be necessary to make the thing work. I am not stopping any hon. Member from opposing, but if it is constructive and not obstructive then it is a good thing. That is their duty, and we expect them to do that sort of thing to improve what is brought forward from this side.

The attitude of those officers who will remain in this country helping to build up the local authorities must also be changed. There are some of these officers who have the attitude of "Let them suffer and they will appreciate what we have done in the last 50 or 60 years." That attitude in a mayor or in a town clerk or in the chairman of a committee must stop because once we are building the country, where we expect our children to live and enjoy their lives, such an attitude as "Let them suffer" would destroy not only the efforts that we are trying to make but the future of the younger generation.

I would like to finish by drawing the attention of one hon. Member to the fact that things like elections with people lining up behind the candidates should not be brought back. That would be going backwards instead of going forward. In some areas, definitely in North Nyanza where I come from, our elections are no longer consisting of candidates standing in front and supporters standing behind them. If we have to be progressive when we are campaigning for mass literacy and getting people to use their democratic efforts and knowledge to elect representatives, it would be going backwards to have people standing behind the candidate, because threatening or intimidation would be introduced. We must go forward and go forward together.

Mr. Speaker, I do support the policy embodied in this and approve that the Minister should go ahead and introduce the Bill.

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Speaker, Sir, I would like to add some points and probably to criticize several things which have been said in this House.

I personally feel that this is only a policy, a Sessional Paper, which has been put forward by a Ministry for people to go through, and also to criticize, but for the last part of it, Sir, it will be a Bill to be introduced to the House. During that time Members of the House will have time to put forward their views and also to see that something better is produced.

Some hon. Members have criticized the Sessional Paper because it mentions the Lancaster House Constitution. I feel that they have made political capital out of that. It is really not important. The important part of it is the principle in this particular Sessional Paper. The principle is right. We are aiming to move forward and to produce something better for Kenya. In fact, what has been aimed at is democratic in its essence.

The country has waited long enough for this policy and it has actually been produced for hon. Members to go into to try to bring forward better views or their own views.

The first thing which has been talked about a great deal is the constitution of the local authorities. The hon. Member, Dr. Kiiano, talked about the constitution of local authorities and he made us feel that it would be wrong to have this constitution because something would be wrong with this. It has been pointed out by the Minister for Local Government that the local authorities' constitutions will be actually laid down by a legal instrument to be approved by the Governor in Council, which of course is synonymous with the Cabinet. If that is done it means that hon. Members will have a chance to discuss the different constitutions in the House and if they feel that they do not approve of them they will have about 40 days in which this could be annulled. Also, Sir, the constitutions will be put forward to the Council of State, which of course will see whether they are discriminatory or will serve the country properly.

The other thing I wished to point out is the mention by the hon. Member, Dr. Kiiano, of the relationship between the Provincial Administration and the local authorities. He went so far as to say that these are rubber stamps only, Sir, and that for a long time they have been like that. It is not true. I think that things have changed a great deal. There are certain local authorities in Kenya, particularly in North Nyanza and Kiambu, in Central Nyanza, which have got a lot of power and they have been passing by-laws without the Administration having a great say or trying to impose its own powers on the councillors. In some cases, of course, we find that the members of the African district councils have felt that they should actually go against the Administration or go against the by-laws which they have made. I know of an instance where the councillors did agree in their own committee to pass a by-law and then immediately after that they went out to their people and told them everything against that by-law. You have the situation in Kenya where some councillors feel that they should attack a

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policy which has been agreed to by their own African district council or other council just because they belong to a certain party. That is wrong. You will bring into the African district councils or local authorities some political situations or at least you will bring some political pressure to bear. Members will feel that they should oppose that by-law which has been passed and put into action or practice just because they believe that their candidate will not win if they do not do that. It is completely wrong when politics come into the African district councils or even into the municipalities in Kenya. You will obstruct something which is worthwhile in the country just because you want to have your candidate to go into the Legislative Council in Kenya. If that sort of thing happens or continues to happen in Kenya then it will be difficult for Kenya's local authorities to be of great service to the people. I personally believe that local authorities are meant to serve the local regions; they are there to try to bring about improvements in their own regions and they are not there to carry on political parties or to try to make the other members or the people in that particular region politically minded according to a certain system or ideology. They should work for the people and they should pass by-laws and support them.

I would like to have African councillors and municipal councillors supporting their by-laws because I believe that they will be doing something right for their country and for their own districts or wards or areas in which they have that particular local authority. For a long time the situation has been that the members usually attack a policy because they just want to be recognized as great politicians in the village. Of course, in the end they find that they are not recognized as such and that people see that they are making a mess-up of things.

Now, Sir, taking all those things into consideration, it appears to many hon. Members here that local authorities are only rubber stamps for the administration, but that, in fact, they should do something better than that. The hon. Dr. Kiiano said that the local authorities should have a strong executive staff or staffs to carry on the work in that particular region. That particular idea is under consideration and in the course of time it will actually be the local authorities, and particularly the African district councils, which will have their own executive staff or people to work for them instead of having the administration doing all their jobs.

He also said that the provincial commissioners should have less power. The Ministry has, in fact, taken into consideration the fact that the provincial administration should exercise its power by delegation from the Minister so that the Provincial Commissioner is directly under the Minister for Local Government and not under the Chief Secretary.

The other thing he spoke against was the electoral colleges. Some hon. Members have thought that the electoral colleges are an indirect system of election and that they are undemocratic. In actual fact, you will find that the most democratic country in the world has used the electoral college for choosing its own presidents, and you will find that in this particular area, which is America, the people do not complain that this is an undemocratic method. The Minister said that in the particular area of Kiambu the people should use electoral colleges for choosing their own councillors. They believe that it is just as democratic as any other system which can be used. But that, of course, is the view expressed by those people. It was not a system set out for this policy.

Some hon. Members, of course, have conflicting views about this, but we should not say that this is undemocratic because it has been proved to be democratic.

The hon. Member, Dr. Kiiano, asked why county councils should have more powers than the African district councils. Now, the answer is that in actual fact the African district councils have more power in some matters than the county councils. They have powers in connexion with agricultural and sanitary and veterinary services. They pass by-laws regarding these services, and the county councils have not got those powers. What he actually meant was that the county councils have more or better executive staff and that they can carry out their own services in their own regions. But as regards the powers, Sir, the African district councils have more powers in certain parts. What they miss or do not have is the executive staff and the people to carry out their own by-laws. This, of course, will be looked into by the Ministry and they will see how they can improve the situation in these particular African district councils where they have got fewer executive staff.

The other point which was raised during this time was the grants given by the Government to the local authorities, and the idea is that some of the local authorities get more, that the richer local authorities get more than the poorer local authorities. I think that that is not true. The grant is graduated and is based on how much

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one produces or how much the Council gets from its own rates. You will find that the Government is, at present, giving out about £360,000 for this grant, and it is graduated in such a way that the poorest councils in Kenya get more in proportion than the richest ones. I will give the figures for Scale A. For the first £10,000 of rate income, a grant of 50 per cent is given, and on the next £10,000, a rate of 25 per cent is given, and for the next £10,000 of rate income a grant of 20 per cent is given, and on the next balance about 17½ per cent is given by the Government. But if you look at Scale B, the local authority in this particular scale will get more than the other local authority which produces more. On the first £2,500 of rate income, a grant of 100 per cent is given; for the next £2,500 of rate income, a grant of 50 per cent is given; for the next £5,000 of rate income, 25 per cent is given, and on the balance, you get 20 per cent given. If you look at the figures, you will find that the Government is trying to help the poorer councils in Kenya. The councils which produce less are given more so that they can develop their own country, and it does really help a great deal when we give more to these councils because they will be able to build more schools every year and have better social facilities for the people of that region. It is not true to say that the Government is not trying to help these poor local government areas.

Another argument which has been put against this policy is regarding the nominated members. It looks as if the members who have put forward that argument have used the Munster Commission in Uganda, but they did not also try to find out what has been said by the United Nations office for public administration in the world. The term local government refers to a political subdivision of a nation or in a federal system a state which is constituted by law and has substantial control over local affairs including the power to impose taxes or to extract labour for prescribed purposes. The governing board of such an entity is elected or otherwise locally selected.

The idea there is that in this particular article you have the nominated members and in fact you find the governing board of such an entity is either elected or locally selected. The idea of nomination as some people have put forward is not in this particular policy for just bringing in chiefs. It says clearly that members will be nominated for specific interests, especially that of the Government para-statal organizations such as the railways. It is a particular thing which has been chosen. It does not mean that the powers of the

local councils will be curtailed; it does not mean that at all. It means that, in a specific interest of the Government, someone will be nominated to represent that to give his views. It could be argued that he has no right to vote; that is something else. But it is stated that there is that link for the railways, the post office and other departments of Government like that, so that there is an expert in a particular council to help, to be there and to help in the formulation of the by-laws and in those things.

Now, the hon. Member, Mr. Amalemba, pointed out that the by-law should actually come from the people themselves. I do think in Kenya that these by-laws come from the people themselves. In a district like North Nyanza or Kiambu the by-laws are meant to be made by the people who are there, who have been elected by the Africans, and in that particular case they have the right to scrutinize, to help in the formation or the creation of the law which will help them. If they find that the law does not help or the by-law does not help them, they should make quite clear to the administration or if need be they should forward their own views to the Minister for Local Government to look into. I think that the by-law which has been made in Nairobi about hawking has been made by the people because in Nairobi the people who object to hawking found it happening near their own shops or verandahs or houses. In that particular case, if I remember, the by-law was made. Now, the idea is that with all local authorities the by-laws should be made by the people themselves for their own good, and if they feel that the by-law is not good enough they should, in fact, repeal it or go through it to find out why it is going wrong. In many instances, when people complain about their own by-laws—I have a case about a by-law in my own district. The people complain about digging near rivers or swamps. They say that this by-law is bad, but what has actually happened is that some people have moved about the countryside telling them it is bad. In actual fact it is not bad; because if you cultivate near rivers or swamps in some regions, you will definitely reduce the amount of rain you get in that particular area, or you might have the river drying out. The council has passed it, they accepted it and they thought it was good at that time, but in this particular instance at this time they are now arguing against the by-law which is really profitable and will help the people in my district.

Now, what should be done is clear. The councillors have the right to bring their views or what they think should be done in the country to their own district council to discuss those and

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if they find that the administration is against what they have decided or what they think is the right thing to do, they should forward their views to the Minister and he will reconsider the case.

I feel I should support the Paper, and will stop with these few recollections.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, I rise just to make a very humble contribution to this debate. First of all I must congratulate the Minister for the few little things he has been able to do and to improve, but I must remind him that we expect quite a lot to be done yet. We should not sit back and be absolutely satisfied that we are doing everything that should be done.

I wish at the moment, Mr. Speaker, Sir, to comment on one point which the Member for North Nyanza did make. He accused us in the Opposition of just opposing for the sake of opposing any measure. He said particularly that we were opposing steps to improve the *status quo*. He is the Parliamentary Secretary and I am quite sure and we sincerely hope that when the Minister replies he will tell us which are these particular steps which the Minister is introducing to improve the *status quo*. We will be very interested to know them and we will commend them to everybody if there are definite steps to improve the *status quo* in Kenya. My contention and my submission is that there are no steps being taken at all to improve the *status quo*, and the Minister will hear about this in a few months.

There is also another point, Mr. Speaker, about the by-laws about which the hon. National Member has been speaking. He has spoken very beautifully about the by-laws in his own particular area, and he also spoke about the by-laws in Nairobi, that these by-laws are made by the people, or are intended to be made by the people. Some of us have lived in Nairobi a long, long time, Mr. Speaker, but unfortunately—and I can say this with confidence—many of us have no voice in what is going on in Nairobi City Council. I do not want to labour that point very much, Mr. Speaker, because it has been ably put by previous speakers, but there is no by-law governing the African locations in Nairobi here which have been brought forward as a result of the intervention and the proposal of the Africans themselves.

There are also by-laws in the various African district councils, and there are very many bad ones, Mr. Speaker. The Minister knows about them, and I will quote just a few of them to

him. We wish to say this, that many of the by-laws in the various African district councils are certainly not by-laws which have been proposed by the people themselves. They are by-laws which have been perpetrated and perpetuated by nominees of Government so that the ordinary person who has no voice in those councils is penalized. An example of this is in this way, Mr. Speaker, and I understand that at one time you travelled through certain markets in the districts. The position arises thus, that an old woman goes and buys say about ten fishes from the lake. It takes a lot of transport expense and she takes them to market A. She has ten fishes, mark you, Mr. Speaker. At market A she has to pay some money, some toll, at the entrance. She goes into the market and is provided with a certain receipt. She may stay at the market the whole day but sells no fish at all. The next day she goes to market B. They will not accept the receipt she got at market A; at market B she will be expected to pay again, and after making the payment she might sell one fish. Now she has nine left still, and so on and so forth. She is wasting money and by the end she finds that she has wasted more money and has made absolutely no profit. As a matter of fact she may find herself spending more than she bargained for at the beginning. We would like the Minister, in the advice which I understand he is giving the local authorities, to correct this position and assist these poor women who are trying to do a little bit of trade in the various districts; and in particular, Mr. Speaker, one reason why I appeal to the Minister for his advice on this point is that many of these women have had to meet a lot of school fees. Some of them are just widows, or perhaps one of ten wives, and they have not enough money to pay for the fees. Now, if these women work hard to pay fees, there should be a position to correct the situation which penalizes them, Mr. Speaker.

When the Minister introduced the Paper he spoke about certain officers who are in fear. I know of their positions, and of the position of Kenya and Kenya's future. We would like to assure the Minister in this way: that if these particular officers are just being selfish, the Minister should advise them that this country has very little room and time for them. If they are still thinking in terms of the Kenya of 1902, the sooner they change those ideas the better, because what we want, as we have been saying on both sides of this House, what is required in this country now and in the near future is efficiency at every stage. We do not care who

[Mr. Argwings-Kodhek] the person is; he may be an electrician. We shall need electricians in an independent Kenya. He may be somebody who can drive motor-trolleys. We will still need people like that. It is efficiency we require, Mr. Speaker, and I wish the Minister would underline that one very, very strongly, and advise those people who are not with us that we will do with them what Jesus Christ said, that if they are not with us they are against us. That, Mr. Speaker, does not come from my head; it comes from a very famous book.

I go on to another point, Mr. Speaker, about these local councils. I sincerely hope that this is an opportunity for the Minister to do something really lasting and permanent, and not to be rather "cock-shy" about his proposals. We would like him to take the opportunity to do something which may be remembered, that we will remember him by. This side of the House will give him every support if he wants to do that, but being shy and trying to give opportunities for people to be afraid of their own shadows, that we will oppose. This is what we would like him to do; we would like to see complete democratization of the local councils. I do not see why, Mr. Speaker, Sir, the Minister should not have gone right ahead and thought in terms of the county councils in Great Britain. I do not see why he could neglect thinking seriously and acknowledging that the British system is just about the best, and it would have been the proper thing to copy that as closely as possible with minor variations for purposes of local concern and local conditions. This would be the obvious thing. However, he has not done this; he has not taken the British model, and that is why we are asking him to realize there is still an opportunity for him to withdraw this timid Paper and introduce something more sensible. Why have reservations somewhere? We think that the Minister is trying to placate certain people in this country. If those people are not with us, why placate them? Why should the Minister tend to be racial in his new proposals? Why try to entrench communal, religious or sectional interests? These are archaic. We must go forward; we must go forward only with those people who want to come and go forward with us. Those who just want to be wet blankets, or to be millstones round our necks, about which the Bible spoke, we do not want them. We must discard them. This is the time for the parting of the ways, Mr. Speaker, and we must part the ways pretty soon; the sooner the better.

There is, of course, Mr. Speaker, an opportunity for doing quite a lot of other things. The African district councils in the African area could do a lot better; they are ready and willing at all times to do a lot better; they are ready and willing at all times to do a lot better, but where is their chance? They are hampered; they are in chains, and they are hampered by this Ministry, Mr. Speaker. They are given no chance, they are given no opportunity. I think it is just this year that we managed to get chairmen of African district councils. Surely, if we can get chairmen of African district councils in 1961 we could have got these chairmen of African district councils ten years ago? There is little to learn in local government business, and there are opportunities. Many students have gone abroad for local government work. I am glad to say that many of them have been given positions of responsibility within local government, but there is a district commissioner normally put above them to hamper the progress they would like to make. It is a useful thing to have an adviser locally on finance, on health matters, on other things, and this is the sort of thing, Mr. Speaker, which the Minister could do. He could make advisers available at provincial headquarters to assist the various local councils. Of course, he could do this, and I understand in certain areas they have made advisers available in the neighbourhood. This is a scheme which should be extended. Remove all external interests, remove all the power of the district commissioners which hampers the African district councils in doing their work. Remove all that, Mr. Speaker, and most definitely they could do a lot of things.

One of the examples of this hampering took place a long time ago. I think it was in the African district council of Kakamega in North Nyanza. In North Nyanza at one time they had a lot of money. They had so much money that they did not know what to do with it. Mr. Speaker, instead of using it to do the job which the local councils normally do with the money, if they are given all the control in education, in health services, in roads and so on—it is sad and this is what the Africans thought—as there was no bank in Kakamega to keep the money it was invested in Britain. Surely they still need a lot of girls' schools and boys' colleges and training places in that particular district. One of the things which should have been done with this money was to establish certain social services. It should have been invested in the improvement of African conditions in that particular district, and that would have been a profitable investment, not only to North Nyanza District, Mr. Speaker,

[Mr. Argwings-Kodhek]

but it would have been an example to the neighbouring districts to see what North Nyanza was doing, and then everybody would have tended to copy what they were doing.

Mr. Speaker, Sir, we in this country, and particularly on this side of the House, are getting rather tired. We have experienced many times about wishing to do things and not being given the chance to do them. We want to do what they say in basic English, learn to speak by speaking. We want our people to do these things. Once our own boys and girls start doing these things they have done in Britain, surely a county council status can be established in the whole of Kenya. The effect really will be that the power of the provincial commissioners will disappear and we shall save a lot of money. We would ask the Government to consider seriously, Mr. Speaker, that such a move should now be started, not only because there are so many provincial commissioners due for retirement but rather that these particular big boys should be moved to the secretariat, given other jobs, so that we could be allowed to expand our local councils.

One thing I noticed only recently, Mr. Speaker, was that the provincial commissioners have so little work now that one of the jobs they now concern themselves with is to approve or disapprove who should be addressing a public meeting in what particular area. Surely this is not a job for the provincial commissioners, Mr. Speaker.

There is also another small point, Mr. Speaker, which concerns one particular—I might be parochial about this one. In Central Nyanza we have a chairman of the African district council. He was only installed about two months ago, but he is a chairman of a council which is not elected. Something apparently went wrong about three or four years ago. I think, during an election in one particular place. The authorities had this against all the people of Central Nyanza. Then unfortunately they elected a very strong council. Apparently it was too strong for the then district commissioner, and what happened then was that the district commissioner with the authority, support and encouragement of the provincial commissioner and of the Minister suspended the council and replaced most of the people who were elected by us with Government nominees. Government nominees—

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Surprising.

Mr. Argwings-Kodhek: It is surprising, Mr. Speaker, and the nominees are the people who are still going on with local council affairs. Most of them, Mr. Speaker, are chiefs or people who have special favour with the district commissioner or with the provincial commissioner. We would like to hear the Minister declare to this House that this injury, this affront to the people of Central Nyanza, shall be removed forthwith. We are supposed to be a very progressive district, and indeed we are, and we would like to be given a chance to elect our own people to the African district council. We would like the Minister to consider the removal of all those chiefs who have been nominated by the district commissioner. We do not oppose the particular chiefs simply because they are the particular chiefs, but some of them have been chiefs since the time before we were born. They are the people who are supposed now to be conducting the affairs of the Central Nyanza District in the year of 1961, the year of independence and progress. That is not progress, and we would like the Minister to assure us in his reply that this position will be changed and will be cleared for us to go forward with development. He knows very well that Nyanza is developing very peacefully. Recently, the elections in Nyanza to the Legislative Council, to this House, were exemplary. There was no trouble, no quarrels of any type; everybody was quiet, everybody was peaceful. Things went very, very smoothly, and the Government officers in the field would testify to that. If they were able to conduct Legislative Council elections peacefully, what is the fear of the Government with regard to allowing us to elect our own people to the Central Nyanza African District Council?

There is also another point, Mr. Speaker. I sincerely hope it is merely a rumour, but I know it is not. Away in some of the districts before someone is allowed to elect his representative to the African district council he is asked to produce a poll tax receipt, a receipt for—I do not know what other receipts. There is something to say for an African district council receipt, but you must admit, Mr. Speaker, that one's ability to elect a representative in any council should not currently be decided by a person's ability to pay his tax. Many people have been mentioned in debates here, Mr. Speaker. In Central Nyanza there are people who are in prison at this time, and they are in prison, not because they have murdered, or raped, or robbed, or—

Mr. Guthrie: On a point of order, it does really seem that this Member is departing very much from the subject matter of this Motion. He has

[*Mr. Guthrie*]

been speaking for a considerable time about what is happening now, but we are debating a Paper concerning what should be done in the future. There is certainly no reference that I can see to any poll tax receipt or anything of that sort.

The Speaker (*Mr. Slade*): I was about to point out to the hon. Member that discussion of this nominated district council was only relevant in so far as he wants to argue that in future there should be no power of suspending elected councils, and that he had given enough detail of this case; but he left it at that point. As regards the necessity of a poll tax receipt as a prerequisite of the right of voting in elections, if that is so, that is relevant to the question of future franchise as well as to the question of the present franchise.

Mr. Argwings-Kodhek: Thank you very much, Mr. Speaker. It appears that some Members in Government are not in close touch with what is going on in the districts they are supposed to be governing.

I will move on very carefully, Mr. Speaker, and I must underline the conditions you have put so precisely and concisely to this House. Those are particularly the very points I want to make, that is that as a matter of the future the Minister should pull himself up and get us out of the whole system which is so irritating to everybody in Kenya at the moment.

Now, I will go quickly, before I finish, to say that some of us have lived in Britain for quite a while, and we notice that local councils more or less tend really to mirror in a certain manner what the House of Commons is. As a matter of fact, many people in Parliament have been in the local councils. Now, if it is good enough in Britain to get a model in the local councils, surely it is good enough for Kenya. We sincerely ask the Minister to try to mirror the democratization which is going on here also in the local areas. It would be futile just to contend that we think they are very primitive down there, and they do not know. But even if they do not know, Mr. Speaker, they are the very people who have elected us to this House, and we would like them to be very closely associated with what is going on here. They should start practising there, even, Mr. Speaker, the recent thing we had symbols to play about with during elections. If the hon. Minister could start training the people out in the districts in the elements of the vote, everything would be easy for an election to this Council.

Of course, a point which was raised here—it is only a little point—is that certain local councils

tend to have their political tabs about them and that Members were accused, particularly Members on this side of the House, of going around the districts trying to get people elected to local councils who were members of their particular party. I would not quarrel very much with that one because it was dealt with, and if the Member does not like it he is not incapable of trying to get elected to his particular council. People with his particular brand of politics are no *shams* for the Minister. We would like the Minister to allow people to do exactly what they want to do and practise any form of politics they would like to have.

There is a minor point on this complete democratization of the local councils. When the hon. National Member spoke he read out the definition of the people being locally elected. We want nothing less and nothing more; we only want the people to be elected. Once elected, we will have no quarrel whatsoever with the Minister. We will give him the fullest support and encouragement which he wants.

Mr. Speaker, Sir, I wish to end by saying that we sincerely hope that in his reply the Minister will definitely declare that the question of nomination simply to please various administrative officers shall end, that all the local councillors shall be elected, that all chiefs shall not be nominated to the councils simply because they are chiefs, but that if they wish to be members of the various councils they should stand and be elected just as the others are. We sincerely hope that the local council status in this country shall be the cradle for this Legislative Council.

Thank you, Mr. Speaker.

Mr. I. S. T. Patel (The Temporary Member for Mombasa *Liwatoni*): Mr. Speaker, Sir, I would like to congratulate the hon. Minister for Local Government for producing this Sessional Paper No. 2. I think it is a forward step to put all the local government institutions under the one Ordinance and to remove all the racial provisions in such existing legislation.

The hon. National Member, Mr. De Souza, made some points regarding the franchise. I beg to differ with the hon. Mr. De Souza on the question of property right, the franchise for partnerships, the franchise for trades and professions, and the right to vote by the companies. This system is already in existence at the moment and the hon. Mr. De Souza said that it would be difficult to judge, for whom a company should vote. Well, the existing registration already provides how voting should be done and who on

[*Mr. I. S. T. Patel*]

behalf of a company can vote. The person might have to be named by the company to cast a vote, and it will be at his sole discretion. A limited company, by resolution of the board of directors can appoint a person who is going to vote, 21 days before the elections. I do not anticipate any difficulty. If such a provision did not exist then vast areas in cities like Nairobi, say the whole of City Square, Government Road, and other areas, where millions of pounds are invested in property, would remain unrepresented, because there are no residences. This provision is absolutely necessary where the new townships are developed. In Great Britain or other countries, if such provisions are not there then they may not be material because residences and businesses have grown together in the past years. This is a City Square which is developing. In the whole of City Square there are hardly any residential properties and most of the Delamere Avenue and Government Road areas contain hardly any residences.

Now, Sir, I do not think that any hon. Members would like that such vast areas in a big city like this should remain unrepresented. I think it is right that there should be some provision for all the professional people and the traders and the partners and the limited companies to vote in the particular area where their business premises are situated; on the principle of no taxation without representation, Sir, it is fair that those people who pay taxes on the basis of rateable properties must have a right to vote and a right to elect people who they can trust. I fail to see what objection there can be to such a provision.

It has been said by several speakers on the opposite side that the qualification for electing the Members of Legislative Council are wider. I do not think that they are wider than this. Here every person over 21 years of age living in a particular area, if he is a householder, and that means if he lives in that area, and maintaining a house, either by renting or by owning it, even by renting, without any rental value, it might only be one shilling; it does not provide that the man must be extremely rich to have a vote. The only provision is that he must pay some rent, even one shilling. What objection can there be? Otherwise, Sir, he is not a resident. Nobody can live without a house or without renting one. He is going either to rent a house or to own a house. Every resident in every local area in which the boundaries are fixed will have a voting right if he is over 21 years of age. What objection can there be to that? I fail to see all the objections raised by the hon. Mr. De Souza on these grounds. Most of the

things are imaginary. The hon. Member said that this can be misused by people with 20 or 30 companies. Every right can be misused. Even a pen-knife can be used for murdering a man and it can be used for good household use. It does not mean that such provision should not be there. The only thing we must safeguard against is the misuse of this, not the instrument itself.

On the question of the boundaries being fixed without the guidance of the Government, every step that has to be taken in the country will have to be taken by the Government in existence at the moment. There can hardly be any objection to such a thing. It is for people to elect their own Government. If we cannot trust the Government, whom are we going to trust? I do not think any objection on that ground is valid either.

I only hope that such words appearing in all this new legislation as "African district councils" and other such racial things will be permanently abolished. It should be a district council, named after a particular district; and no such racial words should be used in any future legislation.

With these few remarks, I would congratulate the Minister on taking such a forward step.

Mr. Nthenge: Mr. Speaker, Sir, I should like to say a few words on local government. I should like to start by saying that local government is a very important form of government. It is what the people are actually in touch with daily, particularly the people who are not very much educated and the people who do not own much property. They are normally concerned with local government affairs and I feel, because of that, that these people should be given the chance—

The Speaker (*Mr. Slade*): Mr. Nthenge, I suggest you do not go too far away from the microphone. You will not be reported.

Mr. Nthenge: Thank you very much, Mr. Speaker. I hope I shall remember this time.

People are always in touch with these local government affairs. I feel it should be their own government in the sense that things are done the way they want and even if they want something bad they should be given a chance to try the bad thing. Then because of the results they will change it to a wonderful thing because once you make a mistake you learn a lot. You will not allow that mistake then to re-occur. A very wise thing might be devised by somebody else but it is natural that when it is brought to you you tend to oppose it or to suspect there may be something in it. Give a person a chance to do the things himself and he will most likely produce the best results after a number of mistakes.

Mr. Odinga: Hear, hear, hear, hear, hear, hear!

Mr. Nthenge: I therefore say that people in local government African district councils, local councils and what not should have only popular people, people they elect—

Mr. Odinga: Hear, hear!

Mr. Nthenge: And these people will go and tell them what they want and they will obey them because so and so has sent them the decisions as their representative. Some of the African district council good things are not taken seriously because they come from people who are suspected. If, for example, you go to my district you find people who have not paid their tax because the people who tell them that African district council taxes should be paid are people they do not have much faith in. If these people were men whom they had elected they would then obey them and there would not be this difficulty in paying taxes. Many regulations are brought in by local government bodies and quite often are disobeyed. Why? It is because the person who decided on them is not a person trusted by these other people. Therefore I say there should be nobody who is nominated on to these local government bodies because I feel the people should be given the right to choose the people they like to decide affairs for them.

In local government you will find that chiefs have had too much power; that a lot that could have been done by now has not even been started because everything needs the chief's approval and he just says what the Government says and the Government does not know what we want. Therefore, they go on undone. A local government body should be a body that represents the people. A proper local government body should be respected by the people so that its by-laws can be respected because of the people who have made them.

Mr. Speaker, I should like to say that I was surprised when the hon. Member for North Nyanza, Mr. Amalamba, said it depends upon who is opposing the chiefs and that some of the people are great friends of the chiefs. I know that most of the people who have been liked by the late Government, or the previous Government, regarded the chiefs as the leaders of the people. In actual fact the chiefs for some time have ceased to be the leaders of the people. I was not happy to hear that statements from the hon. Member supporting the chiefs because in my opinion a chief is just a civil servant and he should do nothing else except to execute what the councils decide. He should be the man watching to make sure that these things are carried on but he should not be there to decide on them himself.

The Speaker (Mr. Slade): Most of these points have already been made in this debate, Mr. Nthenge.

Mr. Nthenge: As I am speaking late in the debate, Sir, I do not want to take very long, but there are some of these points, Mr. Speaker, which everybody wants to say something about, because there is a universal feeling about these things, and it is not known whether everyone else has had the same opinion; although I believe that I should not really dwell on a point long and that we should just mention that we support it.

The Speaker (Mr. Slade): That is right.

Mr. Nthenge: I now wish to speak about representation of races or classes. I would not like to see in this country some regulations made in such a manner as to imply that we want certain people, or that we are looking for a certain class. For instance, we do not say we want Government Road to be represented by people who own buildings around that place. We definitely well know that there is no African owning such buildings; in which case you mean that you want an Asian or a European. I would like things to be wider to give everybody a chance, because I do not think there will be anybody wanting to destroy other people's property. What would happen would be that if I represented somebody, even if I have no special interests as he has, he could easily come and tell me, and I will then fight for his interests. After all, I am a representative of his.

Mr. Speaker, with these few words I feel I should say that I agree with the policy except a number of points which have been mentioned by the other people. I think I should now sit down in order to avoid repeating things which have been mentioned.

The Minister for Local Government and Lands (Mr. Havelock): Mr. Speaker, first I would like to say how gratified I am at the number of people who have taken part in this debate and the obvious interest which has been shown both in the Paper and in local government generally. I believe that most constructive suggestions and criticisms have come from both sides of the House.

If I may start off, Sir, I will have to take the points which I think were raised in order of people speaking. I will try to remember not to repeat points which other people made later.

The first hon. Member who spoke was the hon. Member for Central Nyanza, Mr. Odinga. Now, Sir, it struck me that that hon. Member had rather a different conception of local government from

[The Minister for Local Government and Lands] mine and from that which is reflected in this Paper. His conception seemed to me that local authorities should be completely autonomous bodies and that they indeed should be vested with certain basic authority and that then co-ordination might take place through the Central Government but that the Central Government itself would have little power over local authorities. I believe I recollect him using the phrase that local authorities should be more or less in the position of the small units making up a federation. Now, Sir, I do not agree that that should be the type of local government for us to have in Kenya. I believe that hon. Members, if they will reflect on this, will agree with me that such a system might be a very great danger to the future of our country. It will lead to fragmentation. It will lead to isolation of different groups and specially of different tribes, and I believe that ultimately it might well lead to the situation such as pertains in other places in Africa such as Katanga. I am certain that local government should be the instrument of Central Government to a great extent although of course it is the reflection of the people themselves at that level. There must be a control, and a strong control, ultimately by Central Government to avoid that danger of fragmentation which is one I am certain we have to try to avoid in this country.

Sir, most of the points that the hon. Member made were, I think, based on that philosophy. I believe it would be dangerous for us to follow it. He did say also in support of his argument that he felt that we in Kenya were enslaved by what is happening in the United Kingdom with regard to local government. He therefore obviously was suggesting or implying that we should pattern and adapt our system of local government here more to local conditions and with that thought I would agree. I must admit that it has interested me to see that the United Kingdom example has been used by hon. Members opposite when it fits what they would like to say; on the other hand it has been used by other hon. Members opposite saying, "No, we cannot be enslaved by such a pattern." In other words, the United Kingdom example has been used for individual means by hon. Members—I do not blame them, that is politics—but what we want in Kenya is what we feel is right for Kenya. We want therefore to pick out the best we can out of other people's patterns, not necessarily only the United Kingdom pattern, and apply it to our own conditions.

Sir, he objected, I think, to the number of aldermen. I feel myself that I am not tied to the

number which is laid down or suggested as one-third. I do not mind making it slightly fewer if necessary, but I do believe that a small element of aldermen in a local authority will be found to be of great benefit providing the continuity and so on, and experience. I fully sympathize with the remarks made by other hon. Members with regard to aldermen in some places having entrenched themselves over a long period, and indeed their being elected as aldermen more or less as a recognition of long, long service as councillors and so pensioned off. I agree that that does not lead to a vital and young and energetic council, and that that might well be avoided. But I still think that there is a place for a small element of experienced men to provide continuity.

The hon. Member also suggested that the age limit for the franchise should be lowered to 18. I think he said that and based his argument on the fact that people have to start paying taxes at that age. I will certainly look into that. There may well be a case, if they are paying taxes at that age.

Now, Sir, the hon. Member made the point that a number of other hon. Members have made in different ways. I think he said more or less that all people who are living in the municipalities are entitled to the services should really be also entitled to a vote. I think that that is more or less what he said. Well, now, the thing which worries me on this—I fully understand the thought behind these different suggestions put forward—is firstly that some proof of residence I believe must be forthcoming to qualify for a vote in a local authority area. That is simple enough in many rural areas but it is not simple when we come to the urban areas. Secondly, I also believe that a contribution of some sort should be made by people who are going to qualify for a vote. It is all very well to talk about the fact that by-laws will be passed affecting everyone. But that is not all. The basis of local government, the basic action and activity, the responsibility of local government, is to provide services; those basic services like drains and water and roads which are essential to the development of productivity, especially in both urban and rural areas. I believe that those people who have property which is very directly affected by the lack of services or the existence of services certainly should qualify to have some influence over who represents them on such a body. But the main thing that worries me on this is the proof of residence. You see, in some countries, as I understand it, a man has merely got to be present in a local authority area on a certain qualifying day to be able to go and register. Now, quite honestly,

[The Minister for Local Government and Lands] If we adopted that in this country I suggest that we should be running into very considerable danger. There is no doubt to my mind that if that was the qualification for people in, say, Nairobi City, then on that qualifying day it would be the easiest thing in the world for an influx of 20,000 or 30,000 to take place without anybody knowing about it, from next door local authority areas; that, of course, will greatly affect any election and it will affect the control of the area through a rather bogus movement and the development of the services for the proper, true, residents of that area. I am sure hon. Members, if they think about it, will recognize that sort of danger. It could be a very real danger in this country.

Sir, the hon. Member for Central Nyanza said something to this effect, that local authorities should have assumed democratic principles before independence. That is exactly what I think, too, and that is exactly what the legislation will provide for, before independence.

Hon. Members: When?

The Minister for Local Government and Lands (Mr. Havelock): The legislation, I hope, will be passed before the end of this year.

Now, Sir, I think that the hon. Member also suggested that there should be no variation throughout the country, that all councils should be the same. I think I have got him right in saying that. I must say that that in our present conditions is just not reasonable. The varied climates, the varied peoples, the varied wealth and activities of our areas in Kenya are much, much more varied than almost in any other country in the world. After all, the mere fact that we go from sea level to people who live, work, produce at something like 9,000 or 10,000 ft., in different climates, the different rainfall, and so on, must make for a very great variety, and therefore when you come to local government, which again I repeat is the authority which supplies the basic services needed for development, I am sure the variety will have to be accepted. But what we have tried to do and will try to have in the overall legislation is to ensure that the principles will be the same.

Now, again, Sir, the hon. Member mentioned that he did not think that there should be any representation for Government or para-statal organizations like the Railways on local authorities. I think it has been pointed out by the hon. Parliamentary Secretary that nomination as suggested in this Paper is specific; it is not general; and it is specific for these sorts of people.

Well, the argument which has been put forward again by other hon. Members on this is that the individual officers of the particular organizations, either Government or the Railways, will themselves have a vote and they therefore should be able to look after the interests of their employers in that way. I do not think that that is enough. The officers cannot reflect the policy view of the organization; as such they are needed when discussing the services supplied by a local authority. Take, for instance, the harbour in Mombasa. Around that harbour most of the activity of Mombasa is centred. That is really the wealth-producing unit within the local authority area. Now, whatever happens, and whatever is done in the harbour on the one hand by the Railways and Harbours, or outside by the Municipality, in the provision of roads or water, or whatever it may be, must affect one or the other. I therefore believe that in cases of that sort it is wise to have representation of such a very important economic organization and economic unit within that area. The same applies to the Government. Indeed, if we do follow the principle put forward in the first place by the hon. National Member, Mr. De Souza, to support his argument, and then later by the hon. Member, Mr. Patel, to support his argument, if we do accept the principles of no taxation without representation then surely the very large ratepayers such as Government and the Railways should have some representation to put forward their points of view and to see that the local authority is acting responsibly and not in any way affecting the services supplied by the Government or the property owned by them. I believe that there is a strong case; but I do give this assurance to hon. Members, and it was a point raised by another hon. Member speaking later in the debate, that it is certainly not the intention of the Government and indeed I would be prepared to write in somewhere a saving clause in the legislation that such nominations could not in any way affect a majority and could not in any way control the local authority; it would only be very small minority representation compared with the other members.

ADJOURNMENT

The Speaker (Mr. Slade): The time has come for the interruption of business and Council is adjourned until tomorrow, Wednesday, 19th July, at 2.30 p.m.

The House rose at thirty-one minutes past Six o'clock.

Wednesday, 19th July, 1961

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

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

PRAYERS

ORAL ANSWERS TO QUESTIONS

QUESTION No. 114

Mr. Porter asked the Minister for Agriculture, Animal Husbandry and Water Resources if the Minister would state how many farmers' training centres are now operated by the Ministry, where they are, and how many people have been trained in each during 1960; how many farmers does he expect to receive training in the next five years, year by year.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, I beg to reply as follows. Eleven farmers' training centres are at present operated by the Ministry of Agriculture. Eight of these centres were in operation in 1960 and the following table gives their location and the number of students who attended each in 1960:—

<i>Nyanza Province</i>	
Bukura	1,400 students
Kabianga	493 students
Kisil	363 students
Maseno	3,681 students
<i>Central Province</i>	
Embu	191 students
Wambugu	739 students
Waruhlu	208 students
<i>Rift Valley Province</i>	
Kaimosi	222 students
Total	7,297 students

The three additional centres in operation this year are at Meru, which was closed for rebuilding in 1960, and new institutes at Machakos and Kitui. It is not possible to give details of the expected throughput of students during the next five years as this must depend on the development of new centres which, in turn, depends on the availability of finance. Plans have been made to establish five more centres, the first at Mtwarua in the Coast Province and at Fort Hall in Central Province. These five new centres would increase the total capacity by some 2,500 students a year. Negotiations are currently in hand with the International Co-operation Administration for the provision of funds. This is a branch of agricultural

extension work on which my Ministry lays great stress and I am glad to be able to report that the American authorities are also impressed by the obvious enthusiasm shown in African areas for these centres. I, therefore, have every hope that my current financial negotiations will be successful.

Mr. Porter: Could the Minister add to the information he has already given us very fully, Mr. Speaker, Sir, by stating approximately what percentage of the farmers in the country are now receiving this kind of instruction.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Well, Mr. Speaker, that is an arithmetical sum which the hon. Member could do for himself. There are 7,296 students who have gone through the schools in 1960. I suppose that must be turned into a percentage of something like 700,000 farmers.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, is the hon. Minister telling us that people trained in such places as Bukura are farmers or agricultural scots, and if they are farmers, what assistance is given to them as soon as they finish the course?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, both agricultural instructors and farmers are trained at these centres. The training of the agricultural instructors is necessary if the improvements in animal husbandry and agricultural techniques of the farmer are to be made. In so far as the farmers are concerned, there are a considerable number of measures which we are able to give to assist after they have left the courses.

Mr. McKenzie: Mr. Speaker, Sir, would the Minister tell us why in one of the centres—I have forgotten its name—in Central Province, there are 3,681, whereas in other centres you get numbers down into the hundreds, and are these actually farmers' training courses, and what is the duration of these courses?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): There is no centre in Central Province with 3,681 students, Mr. Speaker. The centres vary from short courses for training farmers, longer courses of two years' duration for training agricultural instructors, and in certain centres the provision of diploma facilities.

Mr. Porter: Could the Minister tell us what fees are payable by farmers for the short course?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): I was hoping, Mr. Speaker, that you would say that that did not rise out of the original question! Mr. Speaker, I hope to proceed as soon as the discussions on finance with Her Majesty's Government are concluded.

Mr. Porter: Mr. Speaker, Sir, arising out of the Minister's reply, it seems that no normal way is provided for, would the Minister tell the House whether, as he is unable provide out of ministerial funds, any voluntary bodies, churches or similar organizations have been approached to provide finance for our new farm settlers?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Sir, I think the real issue is not quite so much as the hon. Member has put it to me. If we could get the additional finance to set up training centres, naturally we would not reject it, but the real problem is the large numbers, we hope, which will be involved in a short space of time, the capital expense involved, and the fact that in these settlement schemes the ecology varies a very great deal, and therefore either a great number of training centres must be created or we have to deal with the problem in a different way. We feel that the system of mobile instruction with resident assistants for settlers is probably the best way of doing it.

Mr. Mathenge: Mr. Speaker, would the Minister tell us whether these courses will be given to all those people who are going to settle under the Yeoman Settlement Scheme and those who are going to settle under the (Inaudible)—Settlement Scheme? Secondly, would the Minister tell us—

The Speaker (Mr. Slade): One question at a time.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, the answer is yes, but I would like to add that I would hope that farmers under the assisted-owner scheme would be able to secure better training on a longer course than at these mobile courses.

Mr. Mathenge: Mr. Speaker, the second question was, would the Minister give an assurance to this House that there will be a follow-up by the Ministry after the training to make sure that the farmers do actually fulfil the conditions and so on which are required under these settlement schemes?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): I am very willing to give that assurance.

QUESTION No. 141

Mr. Chanan Singh asked the Minister for Labour and Housing (Mr. Towett) to supply for the use of Members copies of the International Labour Organization Conventions applicable to the Colony and Protectorate of Kenya.

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, I beg to reply. I have arranged with the Clerk of this Council for a copy of the Volume of International Labour Conventions from 1919 to 1949 to be ordered for the Council's Library. Since 1949 there have been nine additional conventions and copies of these will be supplied by my office to accompany the bound volume. I must emphasize that not all these conventions apply, or even have relevance, to Kenya and I will arrange for a chart or list to be attached to the volume showing the extent of local application.

QUESTION No. 148

Mr. Seroney asked the Minister for Labour and Housing (Mr. Towett) when the Government expects to introduce legislation to repeal or amend the Resident Labourers Ordinance, particularly in so far as it enables magistrates to seize or impound stock?

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, I beg to reply. I am anxious that the question of the Resident Labourers Ordinance should be dealt with as soon as possible. To this end a thorough examination is currently being completed by my Ministry, in consultation with other Ministries, with a view to early consideration of the question by the Government. I am sure the hon. Member will appreciate that until Government has decided on its policy it will be inappropriate for me to comment on what may be contemplated as regards either the whole Ordinance or any particular provision of it.

Mr. Seroney: Mr. Speaker, Sir, does the hon. Minister appreciate that the particular aspect of the seizure of cattle is creating bitterness throughout the Rift Valley?

The Minister for Labour and Housing (Mr. Towett): I do appreciate that, Mr. Speaker, that is why I said I was anxious that the question of the Resident Labourers Ordinance should be dealt with as soon as possible.

Mr. Nyagah: Mr. Speaker, Sir, arising from the Minister's reply, would the Minister care to tell us whether "as early as possible" will mean before the end of this year?

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, this problem concerns not only my Ministry but other Ministries. I cannot give such an assurance at the present moment until I consult with the other Ministers.

Mr. Mboya: Mr. Speaker, Sir, is the Minister in a position to indicate to the House how soon, how many more months, and so on before we might look forward to changes?

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, as soon as is practicable.

Mr. Mulli: Mr. Speaker, Sir, I would like to ask the hon. Minister whether he is aware that only last week so many head of cattle, goats and sheep were impounded in Yatta Location, and what is he doing about it?

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, when the law is in operation I cannot do anything to interfere with the magistrates until we repeal the law.

Mr. Nyagah: Mr. Speaker, Sir, is the Minister aware that the Resident Labourers Ordinance should not only be amended but repealed?

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, I agree with the hon. Member. We are going to look into it, I said.

Mr. Shah: Mr. Speaker, Sir, the hon. Minister said that this question also concerns other Ministries. Has he already started approaching other Ministries in this regard?

The Minister for Labour and Housing (Mr. Towett): Mr. Speaker, Sir, I said, "To this end a thorough examination is currently being completed by my Ministry in consultation with other Ministries, with a view to early consideration of the question by the Government."

The Speaker (Mr. Slade): I do not think hon. Members can extract any more from the Minister.

QUESTION No. 155

Mr. McKenzie asked the Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell) (1) if the Minister is aware of the difficulties that the East African Stud Book are in financially; (2) if so, does he intend to help them; (3) if not, why not, and if so, how?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, Sir, I beg to reply as follows. The answer to (1) is yes. The answer to (2) is yes. The answer to (3) is—

An hon. Member: Yes.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): No, the hon. Member is wrong. Discussions are now proceeding with the East African Stud Book on economics in administration and expenditure to relate them to their straitened circumstances and on the contributions which the blood and livestock industries served by the Stud Book can make to its administration and finance. If, after that, there is still a gap in their finances Government will see what assistance it can provide.

Mr. McKenzie: Mr. Speaker, is the Minister aware that the East African Milk Recording Scheme are prepared to forego their £1,400 a year from Government to give that to the Stud Book so as to help them? If he is aware of that is he prepared to accept?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, the hon. Member is not correctly briefed in his question. The Dairy Board has already been paid £700 for the milk recording scheme and therefore there is not £1,400 available. In so far as the balance is concerned, the hon. Member's question is correct.

Mr. McKenzie: Mr. Speaker, if that is the case is the Minister prepared to allow the Dairy Board to pass that £700 on to the Stud Book?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, it is a matter which I shall have to discuss with Treasury, and it will form part of the general discussions which I am having with the Stud Book.

Mr. Mathenge: Mr. Speaker, Sir, is the Minister prepared to give us an assurance that he will consider all means available to get more money for the East African Stud Book, particularly considering the fact that many Africans are now going into the dairying industry and the membership, the people, who use this book is increasing?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, I do agree with the hon. Member that the continuance of the Stud Book is important, but there is an important matter of principle and policy concerned, and that is this: the industries concerned I have calculated handle something like £11,000,000 worth of produce a year and I am as far as possible such an important item in the maintenance of their business should be financed largely by themselves.

Mr. McKenzie: Mr. Speaker, Sir, is the Minister prepared to give an assurance that he will, over this difficult period, help them financially if they need to be while the discussions are going on?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, I do not think there is any necessity to do that. I hope the discussions will proceed more swiftly than possibly under other régimes in the past and the necessity will not arise.

Mr. Mboya: Mr. Speaker, Sir, would the Minister state how soon these discussions might be finalized?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): I shall finalize them, Mr. Speaker, as soon as practicable.

Mr. Mboya: If the Minister lasts that long.

QUESTION No. 61

Mr. Nthenge asked the Minister for Commerce, Industry and Communications what proposals, if any, the new Government has for fostering trade with countries outside the sterling bloc?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, in the unavoidable absence of my hon. colleague the Minister for Commerce, Industry and Communications I beg to reply. The Government gives the same vigorous encouragement to trade with non-sterling countries as to that with the sterling area.

Mr. MacKenzie: Mr. Speaker, Sir, would the Government be prepared to tell us what countries they have had discussions with on trade matters outside the sterling bloc?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, the Government has not as such had formal discussions with non-sterling countries or with sterling countries. What the Government does is to encourage the various trading bodies, including the statutory bodies which deal with exports, to direct their attention both to countries inside the sterling area and outside.

Mr. Nthenge: What are the countries which are being encouraged and are now trading with East Africa?

The Minister for Finance and Development (Mr. MacKenzie): I would have thought, Sir, that the hon. gentleman would be aware that the bulk of our exports at the moment, coffee, goes to countries outside the sterling area.

Mr. Mathenge: Mr. Speaker, Sir, arising from the Minister's original reply, would the Minister tell us definitely whether there have been no negotiations duo to the fact that the Meat Com-

mission had some trading negotiations with the Soviet Union two years ago, and if that is a fact that is the reason why this trade agreement failed, the fact that the Government failed to back it.

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, I think that is another question.

Mr. MacKenzie: Mr. Speaker, would the Minister give a categorical assurance that this Government has not had any discussions with any countries within the sterling bloc or outside the sterling bloc?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, this Government regards trade as a matter of private enterprise and for the statutory boards which have been set up to undertake trade in such industries as the coffee industry, but does not regard trade as a matter generally for bilateral agreement between countries.

Dr. Kioko: Mr. Speaker, Sir, arising from the Minister's reply, if this is viewed by Government as private enterprise, do we understand from the Minister that we cannot expect persons like trade representatives to be sent by this Government to these countries?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, the Government will appoint trade representatives to various countries to the extent that this is considered necessary by the volume of trade which can be done with those countries.

Mr. Mboya: Mr. Speaker, Sir, would the Minister state if the Government does not consider whether they, as a Government, should not enter into discussions with other countries on trade matters? Does he state that this should be left entirely to private initiative and private enterprise?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, if the Government finds it necessary to enter into governmental discussions with countries, it will do so, but on the whole the Government believes that the efforts of individual traders has far greater effect.

Dr. Kioko: Mr. Speaker, Sir, if trade representatives are to be sent on the basis of trade between Kenya and the particular country, are we to understand that the trade between Kenya and Rhodesia is more than the trade between Kenya and, for example, West Germany? In Rhodesia, we have a trade representative, but we have no trade representative anywhere else.

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, if the hon. gentleman had read his Estimates, he would have noticed that the trade representative who was in Rhodesia under the previous régime has now been withdrawn.

Mr. Shah: Mr. Speaker, Sir, when the Minister referred to the countries outside the sterling area, may I know from him if the communist countries are included?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, the amount of trade between Kenya and the communist countries would not be sufficient to justify direct trade representation. I have no doubt, however, that if it were necessary to undertake trade discussions with any such countries, Her Majesty's Government would be very pleased to give the good offices of their representatives in such countries.

Mr. Mathenge: Mr. Speaker, Sir, does the Minister intend to tell us that the Government has never at any one time considered the possibility of a change of currency in East Africa from the currency used today, especially in view of the fact that independence is coming?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, I think that that is probably a very different question, but I can give the hon. gentleman a full assurance that sterling has very great advantages as a currency for a country like ours.

Mr. MacKenzie: Mr. Speaker, Sir, are we on this side of the House to be led to believe that no proposal to foster trade with any countries has been done by this Government, and if that is so, what about Western Germany? Have no discussions been held with Western Germany?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, this Government is always making efforts to expand its trade throughout the world, and not merely with any one country.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, is the hon. Minister telling us that this Government, or the previous régime, have taken no steps to encourage discussions for trade between Kenya and countries we call communist?

The Minister for Finance and Development (Mr. MacKenzie): No, Sir.

Mr. Mboya: Mr. Speaker, Sir, would the Minister state whether these so-called encouragements are through talks, discussions or conferences?

Would the Minister state whether, in fact, countries like Western Germany have had discussions with the Kenya Government on trade or not? If so, how many more countries in that category are there?

The Minister for Finance and Development (Mr. MacKenzie): The Government, Sir, is continually in close and harmonious discussions with representatives of Western Germany and various other countries of Europe and America and other parts of the world, of Asia, who are stationed in this country. The Government, Sir, has also from time to time sent ministers abroad in order to interest foreign countries in trading matters. I would have expected, Sir, that the hon. gentleman, the Member for Fort Hall, would have realized this.

Dr. Kioko: Mr. Speaker, Sir, having heard that the trade representative who served under my régime has been withdrawn, could the Minister let us know whether there is any trade representative for Kenya in any part of the world, and if not, could the Minister explain why not?

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, it is intended to appoint honorary trade commissioners in a number of countries, and the office in London has been turned into a full-scale agency. The hon. gentleman will find that if he reads the memorandum note on page 18a of the Estimates.

Mr. Shah: Mr. Speaker, Sir, is the Minister aware that it is because of import controls that there is a hindrance to expand trade with so many countries of the world?

The Minister for Finance and Development (Mr. MacKenzie): No, Sir, and I would point out that the amount of import control here is considerably less than in those communist countries which the hon. gentlemen appear to admire so much.

Mr. Odinga: Mr. Speaker, under Standing Order No. 12, I request to raise the following matter which we consider to be of an urgent nature and of public importance: "The barring of individual politicians to address political meetings at certain areas of Kenya has not only caused dire embarrassment, but has appallingly become a stumbling block to the smooth running of the political parties and accordingly become discriminatory to some KANU leaders."

The Speaker (Mr. Slade): That matter is, in my opinion, a definite matter of public importance, and I have no doubt that many hon. Members regard it as urgent, but there are other rules

[The Speaker]

whereby we are restricted in the matters for which we can have an adjournment for discussion. Among those rules is the rule that you cannot discuss by way of adjournment a matter which has already been fully debated in this Council. It was only, I think, on the 6th of this month that we had a full debate and a resolution on this very subject. For that reason I cannot allow an adjournment under Standing Order 12 to deal with the same subject.

Mr. Mboya: On a point of order, Mr. Speaker, could I have your direction as to whether in a situation such as this we can, in fact, bring into the House a specific matter of an individual or individuals who have been refused permission to address meetings at specified places? I wonder whether that, Mr. Speaker, comes under the general question of a debate of the subject as such, or a question of an actual grievance on a particular, specific issue?

The Speaker (Mr. Slade): It depends, of course, on the nature of the debate which has already taken place as to whether the matter to be raised on adjournment is really a repetition or not. The debate which took place was on the general principles governing the control of public meetings. The matter which Mr. Odinga was proposing to raise on adjournment was the same question of general principles of control. If, in spite of having had a debate on principle, hon. Members have a particular case to raise, and desire a debate of that case on its own merits in the light of existing principles, that in my opinion would be in order, not under Standing Order No. 12—because it is not of wide enough public importance—but as an ordinary matter raised on an adjournment under Standing Order No. 9.

Mr. Mathenge: Mr. Speaker, arising from the explanation you have given us, I think although maybe Standing Order No. 12 was not the relevant one, we would like your ruling on this as to whether we can raise this matter on an adjournment on a specific case later in the debate arising on a point of order.

The Speaker (Mr. Slade): I think I have explained; a particular case which you wish to discuss on the merits of that case can be raised on an ordinary adjournment discussion, but not under Standing Order No. 12, which means an interruption of business in the Council. Whether you can find time for an adjournment Motion before the Council rises is another matter.

Mr. Mboya: Mr. Speaker, Sir, in view of the importance which some Members attach to the question of the specific grievance of some Mem-

bers who have been refused permission to speak at public meetings consistently, and in view of the fact that the House rises on Friday, and therefore there might not be any opportunity for those Members to raise the matter, could we give warning now that we intend to do so?

The Speaker (Mr. Slade): I would remind hon. Members that there is a matter to be raised on the adjournment today by Dr. Kiiano, that is the matter of the use of firearms by the police.

BILL

REPORT AND THIRD READING

The Statute Law (Miscellaneous Amendments) Bill

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, a Committee of the whole Council considered the Statute Law (Miscellaneous Amendments) Bill and reported the same with amendment. I accordingly beg to move that the Council doth agree with the Committee in the said report.

The Acting Chief Secretary (Mr. Griffith-Jones) seconded.

Question proposed.

The question was put and carried.

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, I beg to move that the Statute Law (Miscellaneous Amendments) Bill be now read a Third Time.

The Acting Chief Secretary (Mr. Griffith-Jones) seconded.

Question proposed.

The question was put and carried.

The Bill was accordingly read the Third Time and passed.

MOTION

TRANSFER OF POWERS (MOHAMMEDAN MARRIAGE AND DIVORCE REGISTRATION)

The Acting Chief Secretary (Mr. Griffith-Jones): Mr. Speaker, Sir, I beg to move that this Council approves the draft Orders entitled the Transfer of Powers (Mohammedan Marriage and Divorce Registration) Order, 1961, and the Transfer of Powers (Mohammedan Marriage and Divorce Registration) (No. 2) Order, 1961.

Mr. Speaker, Sir, these two Orders have been laid in draft on the Table of this House, and they are therefore before the House. Their purpose is to transfer from the Governor, in one case, and the Governor in Council, in the other, certain powers to the responsible Minister on the same lines as has been done with the approval of this Council in numerous respects on previous occasions.

[The Acting Chief Secretary]

I do not wish to detain the Council, Mr. Speaker, and I accordingly beg to move.

The Temporary Minister for Legal Affairs (Mr. Webb) seconded.

Question proposed.

Mr. Nyugah: Mr. Speaker, Sir, I have just one question to put to the Minister. This is to transfer the powers from the Governor to the responsible Minister. I do not know which is the responsible Minister for this kind of thing.

The Speaker (Mr. Slade): If no other Member wishes to speak I will call upon the Mover to reply.

The Acting Chief Secretary (Mr. Griffith-Jones): Well, Sir, it raises a nice point which I confess that during the period I have been acting as Chief Secretary has rather puzzled me. At the moment it is with the Chief Secretary. I am in this dilemma, however, that if I remove it from the Chief Secretary I transfer it to the Ministry for Legal Affairs, and I have a vested interest in doing neither!

The question was put and carried.

MOTION

TRANSFER OF POWERS (MAINTENANCE ORDERS) AND (PENAL CODE)

The Temporary Minister for Legal Affairs (Mr. Webb): Mr. Speaker, I beg to move that this Council approves the draft Orders entitled the Transfer of Powers (Maintenance Orders Enforcement Ordinance) Order, 1961, and the Transfer of Powers (Penal Code) Order, 1961.

These Orders, Mr. Speaker, are of the same type as those to which my hon. and learned friend, the Acting Chief Secretary, has just referred, and they have also been laid before the House. In order, perhaps, to forestall a question, I can say that in this case there is no doubt, I am afraid, that these powers will devolve upon the Minister for Legal Affairs.

Mr. Speaker, I beg to move.

The Acting Chief Secretary (Mr. Griffith-Jones) seconded.

Question proposed.

The question was put and carried.

MOTION

TRANSFER OF POWERS (DANGEROUS DRUGS)

The Minister for Health and Social Affairs (Mr. Mate): Mr. Speaker, Sir, I beg to move that this Council approves the draft "Transfer of Powers

(Dangerous Drugs) Order, 1961" and the "Transfer of Powers (Dangerous Drugs) (No. 2) Order, 1961".

Mr. Speaker, Sir, this is to put right an anomaly in the particular section in accordance with other Motions which have been moved in this House this afternoon. Sir, in 1956 certain powers were delegated to the Minister for Health in this particular instance, and an anomaly was left there in respect of certain powers which concerned the withdrawal of certain authorizations made under the rules and the appointment of that officer. Sir, it is in order to complete this particular part that I beg to move.

The Temporary Minister for Legal Affairs (Mr. Webb) seconded.

Question proposed.

The question was put and carried.

MOTION

SESSIONAL PAPER NO. 2 OF 1961:

RECONSTITUTION OF LOCAL AUTHORITIES

(Resumption of debate interrupted on 18th July, 1961)

The Minister for Local Government and Lands (Mr. Havelock): Mr. Speaker, when the Council rose last night I was dealing with points raised by the hon. Member for Nyanza Central. The next point that I wish to comment on which he raised was that he thought that it was wrong for the Council of Ministers or the Cabinet to make constitutions for local authorities. Well, Sir, he used the sort of terms that he thought it was not right that a few people gathered together in a room should take decisions of this sort. It seems to me that this sort of remark completely undermines the whole concept of government as we have it today and, I am sure, in the future. There has got to be a government. The hon. Member was not referring to a particular government; he was referring to the principle. However, I do wish to say this, that any constitution which is made by the Council of Ministers or the Cabinet by order of that Cabinet will, of course, first of all, receive consideration by a number of people, not only one Minister, and also it will be laid on the Table of this House, so that hon. Members of this House can raise questions on it and indeed can move a Motion on it if they so wish. I think that really meets any reasonable request that hon. Members put.

He also then went on to say that I, the Minister, had said that the local authorities should be free to elect as they would like to, as they wished, and he was referring in that context to African district councils. I do want to remind him that

[The Minister for Local Government and Lands] when I proposed this Motion, I said that I would direct that in future the secret ballot system would be used, and I embellished that by saying that I did not see any case for retaining other forms of election when, after all, during the last General Election the secret ballot box was used throughout the country.

I did also mention, and I would like to repeat again, that secret ballots can be an expensive proceeding, especially when in large areas such as the Northern Frontier, and so on, and that the local authority will have to bear and accept that expense.

Sir, he went on to say then that in the United Kingdom if there was a party majority on a local authority, Labour for instance, then the Labour policy would be followed. That is true, but he was getting mixed up with the point I was trying to make in moving this Motion, which I still think is a very important one, and that is that there should be laid down here in the law—in the United Kingdom it is by convention—that the committees of local authorities which, indeed, are the most important part of the machinery of local authorities—they are the instruments of administration and policy, and considering the remarks the hon. Member made, I do not think he understands how local authorities work—that these committees should reflect the composition, the complexion, of the council as a whole, and it should be laid down that they do. Otherwise, with a bare majority in the council one party may well be able to stack every committee entirely with its own members, and that I believe would be wrong, especially with regard to the day-to-day matters, rather humdrum matters, which local authorities have to deal with and which directly affect the lives of their constituents.

Then, Sir, he said that there should be in local authorities people such as ministers responsible for certain subjects. Here, again, it leads me to believe that the hon. Member just does not know how local government works. I think, possibly, this suggestion arises from the main principle which he has been advocating, that in fact local authorities should become small, autonomous governments, which I commented on yesterday. However, he must surely realize that there are in fact individuals who have the major responsibility for policy in different sections and those individuals are the chairmen of the different committees. You have the education committee, the health committee, finance committee, and so on, and the chairmen of those committees are, in fact, carrying the major responsibility for those subjects, and one can look upon them to some

extent as ministers, but, of course, they cannot act without the advice and consent of their committees and ultimate consent of the council.

The hon. Member then went on to make another suggestion, and that was that the boundaries of local authorities should coincide with what he called the natural boundaries. Well, I spoke at some length when moving this Motion on the principle, my policy being, and the Government policy being, to associate different types of local authorities, both different tribal types, urban and rural, and so on, as closely together as possible in the future in order to try to get away from these compartments, racial and tribal compartments, which have grown up in this country. I do not know exactly what was behind the particular suggestion, but it may have been—in fact, it certainly appeared to me—to be once again an advocacy by the hon. Member for not only the continuation, but indeed the development and entrenchment of tribal areas and feelings.

Then, Sir, the next hon. Member who spoke on this subject was the hon. Member for Fort Hall, Dr. Kiano, with whom I think my parliamentary secretary, the hon. Mr. Kilelu, dealt very fully. In fact, there is only one point which he made on which I want to comment. He was very critical of the Nairobi City Council. He said that, indeed, Nairobi was an eyesore. I do not think it is. I am by no means in agreement with all the policies and attitudes which have been struck and the attitude of councillors in the Nairobi City Council, but I do think we have to give credit where credit is due. I think we must admit and accept and, indeed, congratulate the Council for a number of things they have done in the past. To my mind, Nairobi, if not already, is becoming one of the most beautiful cities in the world, and that is greatly due to the activities of the Nairobi City Council and their officers, and especially one particular officer. I know there are some bad spots in the city and they need cleaning up, but I think that cleaning up is going on progressively, and I personally am proud of the great job which has been done in Nairobi, and the beautiful appearance of many parts, in fact, most parts. Indeed, even the areas which we looked upon as slums a few years ago, even they have been improved out of all recognition to what they were.

Now, Sir, if I may turn to the hon. Member for Nairobi West, Mr. O'Beirne, he suggested—

Air Commodore Howard-Williams: On a point of order, Mr. Speaker, I am the hon. Member for Nairobi West and I do not remember taking part in this debate.

The Minister for Local Government and Lands (Mr. Havelock): I think, Sir, that there are two hon. Members for Nairobi West.

Air Commodore Howard-Williams: On a point of order, Mr. Speaker, the other hon. Member is not in Nairobi at the moment.

The Minister for Local Government and Lands (Mr. Havelock): I meant the hon. Member who is acting for the hon. Member for Nairobi West, Mr. Clive Salter. I think I am correct.

His particular point, Sir, was that legislation should be passed to allow aliens to qualify as candidates for local authorities. I have given some thought to this, and as I explained at the interruption, aliens are qualified to vote but they are not qualified as candidates. He asked me if we could pass urgent legislation in order to allow for this qualification. Sir, I think, especially looking to the future, especially looking to the need and the desirability of a Kenya citizenship in the near future, that I would rather not deal with that at this point or at this stage. I personally—and this is my own view—do not agree that foreigners should be allowed to be candidates. I am open to conviction, but I do not think it is the time to argue and discuss it. I also understand that in the United Kingdom foreigners, aliens, are not allowed even to vote, except that citizens of the Republic of Ireland are allowed to vote. I therefore regret that I cannot accept that suggestion.

Now, Sir, if I might turn to the hon. Member for Nairobi East, he was very critical of this Paper. A lot of the points he raised I have already dealt with because they were raised by other people. But I do believe that he was rather inconsistent. First of all he criticized very strongly the fact that local authorities had not been democratized, as he puts it, quickly, and he said that local authorities should take the lead in this matter and indeed should be ahead of Central Government. He made a very interesting and persuasive speech on that point. He then switched almost immediately and said that we should withdraw this Paper so that we should have a constitutional conference which he wants and that we would then be able to bring in legislation which would reflect the Central Government constitution. Well, I do not know which he really wants done. Does he want the local government to be ahead or does he want local government to wait until the Central Government is settled? He was, I believe, arguing against himself there. My view always has been, and I have expressed it before in this Council, that local government should indeed reflect as far as possible the politics or the pattern of Central Government because local government, after all, is a tool of Central

Government and therefore local government must fall in with the general principles laid down by the Central Government.

If one accepts that then the criticism arises, which he made, that we are now trying to set a pattern which may not fit the pattern of the future with regard to the Central Government when further constitutions have been adopted at the centre. But I do not think that that criticism can carry very great weight. If hon. Members will study the White Paper they will see that nearly all the legislation which will arise out of this Paper will be enabling. I stressed this when I was moving the Paper, and I will stress it again. It must be elastic and the legislation must be enabling so that it can be shaped to changing circumstances. One of those circumstances may well be the different political set-up in the centre. I do not think that in any way by providing this legislation and by putting it before this House and passing it that we are going to prejudice discussions on the future of this assembly here.

The hon. Member indeed supported some of my arguments and said himself that local authorities should serve the centre and reflect the centre. This I was interested in particularly because it was in direct contradiction to the principle put forward, and on which I have commented, by the hon. Member for Nyanza Central. It seems to me that there is a conflict of opinion on it.

Mr. Odinga: Mr. Speaker—

The Speaker (Mr. Slade): You cannot just interrupt hon. Members.

Mr. Odinga: On a point of explanation, Mr. Speaker, I think that the local authorities must reflect the democratic principles which apply here.

The Minister for Local Government and Lands (Mr. Havelock): Mr. Speaker, I do not wish to continue this argument, but I think that the hon. Member will admit that he did say that the local authorities should be autonomous and that they should be more or less units in a federation. I think those were the words he used.

Mr. Odinga: A measure of autonomy with certain reserved powers such as in defence and internal security exercised by Central Government.

The Minister for Local Government and Lands (Mr. Havelock): Yes, with certain reservations. But I do not think that the hon. Member understands the principles we are getting at. Where does the authority stem from? Does it stem from the local authority or from the centre? I am sure, from the way it has been put by the hon. Member, that he is advocating that the power and

[The Minister for Local Government and Lands] authority should stem from the local authority. That must be the principle of any federation. However, let us leave it at that. If the hon. Member has a different opinion from that which I have interpreted, then I accept that.

Now, Sir, if I may go on, I was dealing with points raised by the hon. Member for Nairobi East. He raised the question of the Provincial Administration, and this indeed is a very important question with regard to local government. It is not mentioned specifically in the Sessional Paper, but it certainly is a matter which we on this side of the House are very conscious about, and are investigating now. There is no doubt that we must make our minds up, and indeed, put before this Council in the near future the suggestions as to the place which the Provincial Administration will have vis-à-vis local authorities. It is my view, and I have expressed it before, that local government should have the authority as it has today and even more so, and administrative officers should in many cases be the servants of that local government and I will touch on that again later when we come to other points raised by other hon. Members. Another small point, Sir, which was raised by the hon. Member for Nairobi East—he tried to make the point that this legislation or this White Paper was before or after its time. He said it was before its time, because the White Paper refers to the Governor in Council. He, quite rightly, suggests that the Governor in Council won't be here forever, and that, of course, is a matter that can and will have to be changed throughout the legislation, all legislation where Governor in Council is mentioned by an amending Ordinance, no doubt, instead of Governor in Council, Cabinet or some other term to be used, but I don't think that is a serious objection and one that need delay the implementation of policies in this Paper. Now, Sir, again as with so many hon. Members who raised the question of the franchise and I have already touched on it last night. The main point I still want to make is that in this country it is necessary in some way or other to establish that the person who is going to vote in the local authority area has an interest in that area, either from owning property or from being a resident, and if hon. Members will take the trouble to really study the points that have been put forward with regard to the franchise, and also the points that I mentioned when moving this particular Paper, they will see that that is all we are really trying to carry out. Now, I have had a chance to see what is the provision in the United Kingdom. It is, of course, not the same as ourselves, but one of the big qualifications in the

United Kingdom is the persons who are entitled to vote as electors at local government elections in any electoral area are those who on the qualifying date either are, (1) resident in the area, or (2) are occupying as owner or tenant any rateable value or premises therein and that tenant does not include furnished tenancies nor does it include furnished rooms occupied by a lodger. So there you will see that even today in the United Kingdom there are certain provisions and certain safeguards which are in line with those which I have put forth in this House. It is the hon. Member for Nairobi East who said, indeed, at one time, if indeed we are going in for this arithmetical exercise to be called in, why not only go in for a franchise for ratepayers as the only people voting. That is how I read his speech and, indeed, I would be happy to investigate that suggestion, but I don't think it matters. Because, if that was the case, it would only mean that only those on the rate or the rating rolls would have the vote, and we have made it quite clear that we want people who make their contributions both directly and indirectly.

Now, Sir, he then asked me how many people are lodgers in each community. I just doubt the particular principle of that point and I can't give him the figures, but there are a number of them, a very large number. I think, a comparatively large number of both Europeans and Asian lodgers, as well as Africans, and I was worried, as Members know, about this particular section of the community and, therefore, suggested my extra amendment to the effect that man, no matter a lodger or not, if he had really been in the area concerned for the length of time—I mentioned six years out of eight—that he should qualify. I am not tied to that figure, and if other hon. Members feel that it is too long I am prepared to look at it before the legislation is drafted.

Sir, there are many other small points, but I don't want to take up too much time of the House and I am afraid I will have to skip them to some extent. The hon. Member for Nairobi East asked that legislation should be in effect so that certain elections for African district councils that are going to take place in the near future should be under this procedure and not under the old one. I think I know what he is aiming at. I think it comes straight from the fact that an election is due to be held quite soon in Embu and I understand again that certain people have stressed that the Embu African District Council should be composed of people elected by the elected local councils, in other words, one man one vote, more or less to the local council and from there from an electoral college

[The Minister for Local Government and Lands] to the African district council. I understand that that is worrying some hon. Members in this House, and I have undertaken to go into it and see whether it is right that such a type of election should take place instead of a direct election straight to the African district council. I think the latter is probably the best. Now, Sir, the hon. Member also referred to the Nairobi Ward Council and so did other hon. Members when they spoke, and I think they are getting confused—we have used the same name. I will admit, that might lead to some confusion, but I did try to make it very clear when I proposed this Motion what we meant by the ward council mentioned in the Paper. First of all we want or we suggest that ward councils can be set up as the lowest tier of local authority within any type of local authority. In other words a municipal area, county council area or possibly a township itself. The ward councils, if they are so set up, as suggested in the Paper, will be statutory bodies with their own statutory powers, powers to make by-laws under the heads for which they are responsible, powers to raise revenue in order to carry out their duties and they will not be just the minor bodies that some people seem to think and they certainly will not be advisory as that was the weakness of the Nairobi Ward Council—it was nothing but advisory, and I know that a number of members were very frustrated by the fact that they gave advice and it was not accepted by the Nairobi City Council. Also the hon. Member for Nairobi East said, I think, that the setting up of the Nairobi Ward Council Advisory has been used as an excuse so as not to agree to further representation—increased representation of Africans on the Nairobi City Council. I certainly have never used that argument myself; it may have been used in other quarters, but, Sir, the establishment of a ward council within the local authority area of the type envisaged in the Paper will certainly not have any relevance to arguments as to racial representation and it can't have any relevance because in the Paper that we are now discussing and in the ideas that we have now put forward there will not be communal representation. So I think the hon. Member in that regard is rather living in the past.

Now, Sir, the hon. Member for Nairobi East has said that many local authorities have not yet fully implemented non-racial terms of service. I have not been able to contact every local authority of which there are somewhere near a hundred within my jurisdiction, but I know that he was thinking, I am sure he was thinking especially of Nairobi City Council, and my information is that Nairobi City Council has had

non-racial salaries since last July, a year ago, so maybe they were late, but better late than never, but they are here now.

Now, Sir, another point has been made in this debate and it is always being made, and it is that the African district councils have so little responsibility compared with the county council. It is not true, I have here a schedule of the different powers and duties of county councils on the one hand and African district councils on the other. Both of them have authority to enter into contracts, acquire land, public roads, public health, sanitation, hospitals, medical services, planning, education which includes schools, bursaries, grants to education authorities, licensing of shops, buildings, trees and public places and it goes on and on, a whole pageful and, to cut a long story short, additional powers, additional to those held by the county and those held by the African district council, additional powers held by African district councils and not held by county councils are two—that is the setting up of joint boards making loans, etc., and much more important powers of agricultural, veterinary and forestry services, including the power to levy cess and the sales of hides and skins and agricultural produce, etc. Now that is a very wide range of subjects and a very important power of authority which is vested with the African district council and not with the county council. So I can assure hon. Members that as far as their functions are concerned that African district councils have more authority than the county councils.

I was very pleased to hear the hon. Member from Nairobi East express some appreciation of the work that officers, permanent staff of local authorities have done, and in making that point was referring especially to expatriate officers. I agree that we have a great gratitude to express to them for what they have done and he then said that they must help us with our localization and training and I agree. Localization of local authorities' staff is something that needs acceleration although it is going on. Nairobi City Council has itself initiated an inquiry and I have myself received their memorandum and they are planning an ambitious, a very ambitious and expensive localization scheme, which I hope will be put into force in the very near future. Of course localization must be tied up with training and I mentioned when I moved this Motion that there will be courses, training courses organized by the Government. At the same time one of the most valuable sides and parts of training is training on the job and that is where, I hope, I know that the present officers of local authorities will help us.

[The Minister for Local Government and Lands]

Now, Sir, if I may turn to the hon. National Member, Mr. De Souza, he made I think some rather wide claims and said, for instance, that all we were doing here was changing names and titles and that the people who were going to be elected were the same people as today. That, of course, is entirely wrong; he tried, I think, to give the impression that the modifications to the franchise as mentioned in the White Paper would very severely restrict the number of Africans and poorer people as he thought. That is not so—it is just nonsense. There will be very few people of all races not enfranchised under these proposals. I want to maintain the principle, and I believe the principle here that I have expounded is most important and it is not a matter of just for today, it is a matter for the whole future of local government. Property, too, and I think some people may feel or may be under a misconception that nobody living in a council house will be enfranchised, of course they will. Everybody living in a council house will be enfranchised. Anybody living in his own house will be the whole of the African estates, except for lodgers, and then lodgers also by bringing in this other provision provided they had been there for some time will be franchised. Domestic servants also are on the same par as lodgers by bringing in this other provision, so I do really think that hon. Members must recognize that this is, inevitably, an extension of the franchise—and these are on a non-racial basis which is a great point—rather than a contraction and I will give this assurance to the hon. Member, too, that if we find that there are people today enfranchised on the communal roll who would be disenfranchised by this we will make a saving clause for this so that nobody will be disenfranchised.

Mr. De Souza: On a point of explanation, Mr. Speaker, Sir, does that include all persons enfranchised in the next elections for the Legislative Council? Does that assurance include the enfranchisement of all persons who now vote for national elections?

The Minister for Local Government and Lands (Mr. Havelock): The hon. Member must be careful of the term "national elections". It includes the persons who voted for local government authorities at the last elections. I think you will find that most of them will be covered by the elections for the Central Government.

I have got a number of debating points down here, Sir, but I think I will skip them.

Partnerships and companies was another point which the hon. Member brought up. Of course, I know he realizes that it was a slip of the tongue

when he said that this was rather a quick one because, as the hon. Member for Mombasa Ligatoni explained yesterday, it has been in force for a time with local government and has worked quite satisfactorily up until now. But I will go into this and if I find that it really can be too complicated I will see whether I should leave it out of the legislation. On principle, on the whole, I can see nothing against it provided it does not lead to a very large multiplicity of votes which the hon. Member pointed out might be a danger. I would say here that I would most certainly put in a clause to the effect that no persons, under any qualification, would be able to qualify for more than one vote in any one ward. That indeed would cover companies and partnerships as well. I think I have explained that the boundaries of the municipalities themselves and those of local authorities and the boundaries of the wards, the electoral regions within those areas, will be laid on the Table of this House for hon. Members to criticize if they so wish.

Now, the next point which was raised, Sir, was the matter of nomination, which I dealt with earlier on, yesterday evening, and also this matter of the possibility of reserved seats. I know that many hon. Members take exception to this paragraph or this sentence. Well, I put this in at the request and strong advocacy of councillors—I mean by that local authority councillors in various parts of the country—one of whom is indeed present here today. But I will give very serious thought to this and I think that hon. Members can rest assured that when the legislation comes up there will be no such paragraph. You must excuse me, Sir, because the hon. National Member did speak twice and he repeated what he said before, so I do not want to repeat myself.

If I may turn now, Sir, to the hon. Member for Nairobi Central, he said that I should have taken into consideration opinion of political bodies before producing the White Paper. My view is that in producing a White Paper one takes a general broad opinion of all the different interested parties and the opportunity for the politicians of the political parties to express their opinions is given in the debate. Their opinions will be taken into serious consideration before legislation is produced. Then again, at that point, hon. Members of the political parties have another opportunity to criticize and make suggestions and, indeed, that is the whole idea of a White Paper, to produce ideas from the Government side which are knocked down, improved on and criticized by hon. Members opposite and behind me.

Now, Sir, he also put forward a suggestion that local government officers in the future—expatriates—should indeed be taken on contract

[The Minister for Local Government and Lands]

Yes, I believe that is how it is going to happen—that they will be taken on on contract but there are a number serving today and when I was talking on this matter of the future and providing some security for local government officers I was thinking especially of those who are serving today and serving in pension schemes, and it is their pensions that I think they have a right to have protected, and that is what I was getting at. New entrants, I am sure, most of them will be on contract so they will be very valuable and very helpful to us especially training our own local people. Now, if I may turn, Sir, to the hon. National Member, Mr. Okondo. He asked, I think, that there should be the same type of franchise for all African district councils. I was under the impression that there was the same type of franchise, but I have made inquiries and find he is probably right. In certain places there are special qualifications put on and I will give him that assurance that there should be the same franchise in all African district councils and I will certainly go into it.

Now, Sir, he then raised the very important question and one which was of considerable interest to a number of speakers, and that was the place of chiefs in African district councils and in local government. He said that he would have no objection to a small number of such persons being appointed on a temporary basis only, to provide knowledge, experience and so on, until the elected members have had an opportunity to grasp what was going on in local government. Well, my view is this, that in principle chiefs should be the servants of local authorities. My view is that they are indeed a type of civil servant, they are from the Administration, and as part of the Administration they have to carry out a number of the resolutions passed by local authorities either in the form of by-laws or in other forms and therefore it is not in the long term a good thing for them to be on as members of local authorities. On the other hand, I would accept the suggestion of the hon. National Member that in certain cases their experience—and there are some good men amongst them—will be invaluable for a time on local authorities.

The point that I think one wants especially to make, and hon. Members know it, is that in a number of areas there are locational councils which are not statutory. In the hon. Member for Kisumu's area they are statutory, and in other places they are too, but in a number of places they are not, and they become in effect locational councils merely advisory bodies to chiefs, but that is all right to start with. Once they become statutory and have their own powers and money-raising powers and everything I think it must be recog-

nized that the chief must progressively disappear and take on his common duties as an administrator.

The hon. Member for Nairobi South raised a number of points, and very interesting ones, too—he did, of course, when he first started speaking, try to score a few debating points and to imply that hon. Members on this side of the House were disagreeing with each other, but that is quite legitimate fun. He did mention that he thought that we should introduce the word "self" into the title of local government. Well, again, I would consider it but would make no promises because I do not want hon. Members or the country to become confused and get implanted in their heads the idea that local authorities are going to be small states—autonomous states—as far as I am concerned they are not going to be. He raised also another important point and that was the division between the council's duties and the executive's duties—in other words, more or less the political side of things and the executive side of things. Now I do know that in other countries councils are divided and they appoint an executive committee to take on the executive side, and in some places they even appoint a city manager who is the dictator for a certain period of the local authority and the only control over him is the infrequent meeting of the council when he might be discharged or sacked. In our form of local government we have that very definite split—that is, between the policy making responsibilities of the council and the committees on the one hand, and the executive function of the permanent staff on the other, and it is indeed just that, that we want to write into the law and make quite clear, as the hon. Member will see from the latter parts of his Paper, to which indeed very few Members have drawn attention or discussed. I believe that the latter parts are quite as important for the proper functioning of local government as the former.

I have dealt with United Kingdom franchise and so on. I have also dealt with the person who is already enfranchised, and I have also given an assurance that I would see that no person has more than one vote in the same ward.

I want to make it quite clear that although rateable value will be one of the elements in deciding the representation of any particular ward, it is only one, and it is made quite clear in the Paper that the number of the population and other factors—the number of population being extremely important—also have a very considerable effect upon it. I do not think that it is fair, therefore, to only point a finger at this particular qualification—this particular matter—as it

[The Minister for Local Government and Lands] is only a part of what will decide how many people will represent what area.

I am not so sure that I did not mention this yesterday evening that hon. Members will call on the example of local government in the United Kingdom to support their case and then reject it when they think it does not support their case, but I am not so certain that the United Kingdom is very happy with its present situation. Everybody has held it up to be the ideal which we must grasp and follow, but what does surprise me, and it must be a great discouragement to the local government of the United Kingdom, is the extraordinary low polls at elections—the percentage of total registered voters is extremely low. It seems to me that this may be because so many people, unless they have a direct interest, have a direct charge, have property or so forth—just do not take an interest in local government. Another point on this particular matter that I think one should draw attention to is that, of course, nobody would try to prevent party politics from developing in local government in Kenya a stupid thing to try. It has developed, as hon. Members have pointed out to me, in the United Kingdom. But another very interesting factor is the very, very large number of independent members in the United Kingdom on every local authority. There again it shows that as far as local authority matters are concerned, many people still feel that it is hardly a matter for the Conservative Party or the Socialist Party, but for themselves to get on with as independents.

The hon. Member also asked whether the commission—the Local Government Service Commission—would be receiving confidential reports on officers: It is so; they will; they certainly will if they wish to ask for them; they will be looking after the careers of these officers and, therefore, they must receive these reports. He also asked, I think, that we should add a clerical grade to the schedule of people who would be under the umbrellas of this commission, and I will give that assurance that the clerical grade will be so added.

The hon. National Member, Mr. Konchellah, asked about Standing Orders for African district councils. I do not know what has gone wrong with his African district council—there should be Standing Orders now. In any case, I would draw his attention to the words on page six of the White Paper where we say, "due audit and surcharge provisions will be included in the legislation and provision made for model Standing Orders within limits to meet local needs which will be applied by law" and I think that should satisfy him. He also talked about the training of

staff and the giving of experience to councillors, to see what goes on in other areas. This, of course, has been one of our policies for a long time, but I can give him an assurance that we will do all we can to increase that and certainly it seems, as the suggestion came from him, that it might be a good thing to arrange a trip for African district councillors from Narok to go round and see a few more advanced areas.

Now, may I return to the hon. Member for Nandi. He asked that the legislation should be in before the end of the year so that next year's elections should be under these provisions and I will say so to him that it is certainly my intention to try and get the legislation through before the end of the year. I am sure that every councillor of the Nandi African District Council, anyway, will be elected under the new provision because they are not due for election until next year. He also asked that the ballot should be on the basis of the African elections of this council in 1957. I believe what he means by that is that the ballot papers should be put into the boxes, in other words, that each candidate should have his own box, with his emblem on it, and people should put their papers in the right box for the candidate. I will look into that, but I must say that I think it is a bit retrogressive, and also it is open—it is more difficult to keep the actual vote secret. He also asked for assurance that nominees for representing government and parastatal organization on local authorities should not be in large numbers and, certainly, should not be in large enough numbers to really influence decisions. I give that assurance.

The hon. Member for Kisii raised quite a number of questions. I can assure the hon. Member I did not pick him out just for that. He made a most interesting remark that I tucked away at the back of my mind for the future that there is no such thing as pure democracy. I think he is right, too. I have dealt with the matter of the place of the chiefs. Another question which he raised and which I think must apply especially to his own area was that he feels that the locations are too large. The locational councils find it difficult to cope with such areas. I think it probably is a matter for his own area, and I would be very grateful if he would give me more particulars and I will most certainly go into it and make recommendations if I feel that more locations should be created. As far as aldermen are concerned, I think I have dealt with them under another head. I still feel that it would be an experiment that should be entered into by African district councils: they may find quite a lot of use in aldermen, as long as there are not too many of them in the council.

[The Minister for Local Government and Lands]

Now, if I may move to the hon. Member for North Nyanza. He also, I think, thought of ward councils rather on the basis of the Nairobi advisory ward council, but I cleared that one. He mentioned that by-laws that do not fit our economic background should not be passed. Sir, the point is this, that other Members said I think that by-laws should only be passed by the representatives of the people or when the people want them, but the main point is that by-laws are framed for the benefit of the area generally and for the people in that area generally. There may well be sections of persons in that area who object to the by-laws, but to the great majority those by-laws are beneficial. He brought up a very interesting point about the titles of different people. Why should we continue to call or talk about town clerks or mayors—those names were not indigenous to the country—and, indeed, I would be very interested to have suggestions as to what other names might be used in our coming independence, and we might even run a competition.

Now, Sir, the hon. Member for Central Nyanza, Mr. Argwings-Kodhek, made also one or two points. One of them was about the by-laws which I just mentioned, and his example was a good one in that these particular by-laws to which he was referring were very irritating to the ladies who sell fish, but I would not say that the ladies who sell fish compose the majority of the inhabitants of the area. Of course, Sir, it is irritating to them, but also, in general, such by-laws which refer to market fees are to the benefit of everyone. The hon. Member also said that the British system is about the best and that we should copy it completely. I do advise hon. Members not to make wide statements like that; they can be tripped up very well. There are many points about the British system of local government which I know very well hon. Members opposite would object to very strongly, and I am thinking especially of rating. He also made a very constructive suggestion to the effect that advice should be available for local authorities at provincial headquarters. That is done in certain areas, but it is not done as much as I would like it. It is our idea that in the future, instead of having financial advisers attached to each local authority or each African district council, once a financial adviser has been to an African district council for some time, the treasurer and others should be able to look after the accounts properly and that the next step would be to withdraw from the district, but still have advisers available for a number of local authorities concerned within the province available at provincial headquarters.

In fact, entirely in line with the hon. Member's thought, and I take it as a suggestion and assure him that we are thinking along those lines. He raised a particular matter, Sir, about the North Nyanza African District Council, and rather complained that Government had been unfair, especially with regard to money. He said that at one time North Nyanza African District Council had very large reserves and that those reserves should have been used for the provision of social Nyanza African District Council did have quite large reserves and they were invested in Kenya Government stock and in United Kingdom stock which was not maturing for about 25 years. When there was a split between Elgon Nyanza and North Nyanza we had to try to split the assets and we had also to make the assets liquid so that new headquarters could be built and we found that if we had forced the African district council to liquidate their assets, their holdings, they would be down by some 30 per cent or more because the value of the stock had dropped since they bought it, so the Government lent them money on the security of those assets and they were able to go ahead. I think the Government were very good in that regard. He then went on and made accusations about the Central Nyanza African District Council that because what he called a "strong council" had been elected, that we then dissolved the council and had put in nominated members. Of course, that is not so. A council was elected which was completely and entirely irresponsible, which would not accept the advice of its own health committee and its own finance committee, which dealt with some of its own employees in an extremely unfair way and, in the end, I had to put in a commission of inquiry. The result of that commission of inquiry was that a temporary triumvirate kept the thing going for only a few months and then a new constitution was brought in. Today the African district council of Central Nyanza consists of a large majority of elected members—admittedly those members come from locational councils, but the locational councils themselves are elected, and it is quite wrong to say that the Government was unfair in this regard. In fact, since the Government took those steps, Central Nyanza African District Council has indeed become very much more responsible, and is now improving its position from year to year. But let me say this, I would have no objection if it is the wish of the people of that area to go back to direct elections from constituencies to the African district council rather than the locational councils, if that is the wish. Also the hon. Member talked about the production of poll tax receipts being necessary before any person was allowed to vote. Sir, if

[The Minister for Local Government and Lands] that is the case, it is wrong, and any such case should be reported because there is no need at all to produce poll tax receipts, but there is a need to produce the African district council rate receipt—to show that the rate has been paid and so be qualified. There were many other points hon. Members raised, but I think I have dealt with them all.

I do, Sir, want to congratulate the hon. Member for Mombasa and Likwani, Mr. Patel, on what I thought was a first-class maiden speech. It was logical and to the point and it had, of course, the great advantage of brevity which I am afraid my speech has not had. I think it was one of the best I have heard, and certainly it was my argument as far as local government is concerned in this Paper and he put his arguments clearly and succinctly.

Now, Sir, I come to the last speaker on the other side, the hon. Member for Kitui. He really said, "Let people learn by their mistakes, do not have any authority over them and let them make a mess of it if they want to and they will learn it that way." It is all very well, Sir, I think that applies to very many individuals, it is probably the only way a number of individuals will learn, it certainly seems to be the only way a number of individuals in this House will learn, but I think it is rather dangerous to adopt that attitude with regard to local authorities who, after all, are responsible for very many, many people and for the happiness and welfare of those people. I therefore believe that Government must retain considerable authoritative influence over those authorities for that purpose. As regards the complaint which was voiced by a number of Members of the interference, as they put it, of the district commissioner, that again I think is extremely unfair. The local African district councils are rapidly moving to the stage and many of them have done, where they have their own African chairman and the district commissioner then becomes merely an adviser to the African district council although he has in law still some power, certain remnants of power, over staff, etc., in fact no decision is taken these days by the district commissioner in these matters without reference to my Ministry and, anyway, to the Provincial Commissioner. I believe, and it is true to say, that African district councils could not function without the presence and help of the administrative officers and other Government officers. These are the people who put into effect the resolutions that are passed by the local authorities. The local authorities have not got the staff that can do these things. They have neither been trained, nor have they got the number of staff

to undertake these jobs, this implementation. Therefore African district councils have to be, I think, very grateful to the service supplied to them, by Government officers, including the Administration, but as things go on and develop, naturally the Administration will start to fade out more and more from local government as such, although in many districts there is still a place for them as advisers.

One other point the hon. Member made, which I think is an important one. He said it is discriminatory if there was a ward which covered, say, Government Road and areas of that sort where no Africans lived and no Africans owned property. Then it would be most unfair if that ward were represented by people who were not Africans. Surely that is a very loose way of thinking and, indeed, it is thinking which is based entirely on racialism, and which this Paper is designed to do away with. Representation is necessary of the people in the area—it does not matter who, what colour their skin is, and also in that regard I want to re-emphasize once more that it is not only the people in the area being represented as far as local government is concerned. There is a justification for the property to be also represented, in other words, a vote for the property as well because property can be very, very greatly damaged or developed by the activities of local government. I believe in this actual principle and that we must maintain it; it is no good just making an echo of one man, one vote in this particular context. It is a different thing, this is a different matter of administration and I appeal to hon. Members not to let political emotions run away with them in this regard. Local government, as I have said so often, is an essential part of the machinery of administration of this country and our local government is at a very high standard, higher I think than any other local government in Africa south of the Sahara. I believe that we should do everything we can to maintain that standard. We are not going to if we merely look upon local government in an emotional, political context. It is more valuable than that and I hope that hon. Members will now support this Paper.

I beg to move.

The question was put and carried.

MOTION

SESSIONAL PAPER NO. 6 OF 1961: LIMITED COMPENSATION SCHEME

The Acting Chief Secretary (Mr. Griffith-Jones): Mr. Speaker, Sir, I beg to move that this Council approves the Limited Compensation Scheme proposed in Sessional Paper No. 6 of 1961.

[The Acting Chief Secretary]

Sir, as hon. Members will realize, this scheme is presented to the House against a background of the Government's localization plans. I do not think I need dilate to hon. Members on the urgency and necessity of localization, of carrying it through successfully, and of establishing firm and solid foundations, progressively founded on local resources, for the future Civil Service of this country and I present this scheme to the House with the caution that this scheme is vital to our localization plans and to progress with localization, for without it localization will come to a grinding halt because we shall only be able to localize by way of replacement of normal wastage in the service and that is totally inadequate for the needs of the country and would, indeed, postulate a rate of localization which would take many years, possibly generations, to complete.

Sir, by reason of the provisions of the White Paper issued by Her Majesty's Government last year, Command 1193, as hon. Members will remember, Her Majesty's Government undertook certain specific obligations to overseas officers to whom the Overseas Service Aid Scheme applies, the aid scheme, that is, which was projected in that White Paper. Included amongst those obligations was a recognition of the necessity for the payment of compensation for loss of career to those officers when their posts come to be required to make way for local officers or when their posts become redundant by reason of constitutional changes. That is, of course, not a comprehensive picture of the obligations, Sir, but it is a picture of that aspect of the obligations which is particularly pertinent to our present consideration. In that White Paper also, in order to lighten the financial burden on territorial governments, which had previously fallen wholly on territorial governments, Her Majesty's Government accepted in principle a half-share in the costs of such compensation. Again, as hon. Members will remember, that obligation undertaken by Her Majesty's Government, first of all by way of contract between Her Majesty's Government and this Government, was subsequently ratified and confirmed, and is now enshrined in the Statute Book of this country, by way of an Ordinance. Of course, Mr. Deputy Speaker, were it not necessary for this country to build up a public service from its own local resources and to do so as quickly as possible and on as sound a basis as possible, there would be no necessity for this scheme, because there would be no necessity for the displacement of overseas officers, but, quite clearly, there is a necessity to displace overseas officers and we cannot delay localization

until all those officers have served out their normal careers. Since there is no alternative, therefore, no practicable alternative to the termination prematurely of the careers of many of these officers, this scheme is essential. It is, indeed, on the general lines of similar schemes, either limited compensation schemes or full compensation schemes, which have been introduced at the appropriate time in all the territories which have already proceeded to internal self-government or, even further, to independence.

Sir, the policy in regard to localization is that we should localize the service as quickly as possible but consistently with the maintenance of adequate standards. In achieving this objective, we seek also to ensure that the structure of the service, particularly indeed at senior levels, more closely reflects the relative proportions of the different racial communities in the country. I say "particularly at the senior levels" because, of course, that is where the overseas officer largely serves today. To achieve this objective, we must either make direct appointments from outside the service or we must promote officers from lower ranks, that is to say, officers already serving, and, in order to achieve it at the upper level particularly, we must appoint or promote a large number of Africans. We cannot do that unless vacancies exist into which we can place these local officers, and it is for this reason that this scheme is required, so that the officers holding the posts which we will require for local officers, may retire and thus create the necessary vacancies.

As hon. Members will appreciate, Mr. Deputy Speaker, this is a limited compensation scheme; the full compensation scheme will fall to be introduced on the attainment of internal self-government, at which stage the Civil Service Commission will assume executive powers and responsibility for the designated officer will pass from the Secretary of State, with whom it now rests. The function of this limited compensation scheme is first, as I have explained, to provide vacancies in posts held by designated officers for which there are local candidates available, and secondly, to enable officers to be retired when their posts become redundant following constitutional changes. Now, Sir, I must mention the fact that this scheme, if hon. Members are not already aware of it or have not already appreciated it, applies only to designated officers. That is, of course, as I have explained, by reason of the special obligation acknowledged by Her Majesty's Government towards those officers. Now, I want to deal with the position of non-designated officers who were recruited prior to 1st October, 1954, that is to say the effective date of the White

[The Acting Chief Secretary]

Paper, Colonial 306, and who converted under Lidbury without inducement, but retained passage privileges. Sir, the special obligation accepted by Her Majesty's Government towards the designated officer is not matched by any comparable obligation on Her Majesty's Government's part in respect of the non-designated officer of, what I might call, pre-Lidbury vintage, whether he be, let me hasten to add, of European or Asian race, as they are of both. The Kenya Government, on whom the primary responsibility for this category of officer rests does, however, recognize that there is an expatriate element in their character arising from their passage privileges and its localization plans include the creation of vacancies in their ranks also. Of course, these plans cannot proceed until suitable arrangements are completed for the premature retirement from the service of officers in this category whose posts are required for the purposes of localization, but negotiations are proceeding at the moment. They are in their initial stages, perhaps it would be more accurate to say, and are proceeding at the moment between the official and staff sides of Central Whitley Council, with a view to the conclusion of satisfactory arrangements in regard to this category of officer, and I should perhaps inform the House that whereas there have been difficulties in recent times on the full constitution of the staff side of Central Whitley Council, I have been in consultation with representatives of the staff, staff associations and the Kenya Civil Service Union, very recently with a view to overcoming those difficulties and to reconstituting the staff side on a fully representative basis. I may say that at a meeting which I held with staff representatives yesterday I was impressed by the obvious determination of the staff representatives to get on with the job and I hope that we shall be able to achieve very shortly a satisfactory solution to the problems which have, to a greater or lesser extent, been bedeviling the staff side recently.

Now, it must be emphasized, Mr. Deputy Speaker, that any arrangements which we can bring to fruition in respect of this category of the pre-Lidbury non-designated officer will be the financial responsibility of this Government, not of Her Majesty's Government, not indeed even on the shared basis with Her Majesty's Government which applies through the medium of the Overseas Service Aid Scheme. At the same time, having said that, it would be, I think, ungracious of me if I were not to acknowledge the fact that in relation to our general finances, our finances as a whole, we are, of course, in receipt of most generous assistance from Her Majesty's Govern-

ment. On the conclusion, or following the conclusion, of negotiation of the arrangements for this category of officer, I shall hope to lay the table before this Council, but I am, of course, conscious of the fact that this Council is shortly to go into recess for a considerable period of time, and should it be possible to bring these negotiations to fruition in the period of recess, it will be necessary for us to start on the implementation, rather than to defer implementation and therefore defer and impede the processes of localization until the Council meets again, but when it does meet again and sometime after it has reassembled, it will have an opportunity to express its views on this scheme.

* I would have wished, of course, that both schemes—the scheme now under consideration and the scheme for the pre-Lidbury non-designated officer—could have been introduced simultaneously, but this did not prove possible, and localization is of such pressing urgency that I am sure we are right to proceed with all speed as each stage of our plans is brought to fruition. Let me say, however, that as was noted in paragraph 11 of the circular which was laid with the Sessional Paper, the operative date of any scheme for the non-designated pre-Lidbury officer will be the same as that for the designated officer under the scheme now before the House.

I should also, I think, refer, by way of explanation, to the category of non-designated officer who was recruited after the 1st October, 1954, either with passages, being recruited in that case through the Secretary of State's Appointments Board, or without passages by way of wholly local recruitment through the Civil Service Commission. These officers, who again comprise officers of both European and Asian race, were recruited after the publication of Colonial 306, which introduced Her Majesty's Overseas Civil Service and which defined the limits of Her Majesty's Government's recognized obligations to overseas officers, and therefore, this particular category of officer, not being within the Colonial 306 category, is not at present directly affected by localization. Our localization plans do not envisage that officers in this category should retire prematurely, nor do they envisage that officers in this category will be discriminated against in regard to the introduction, the appointment and the promotion of local officers. They are, therefore, entitled to receive equal consideration with all other local officers in the service in the matter of their advancement and promotion, and so long as this situation continues these officers, the non-designated post-Lidbury officers have no claim in respect of the effects of localization, but, of course, in the event of a

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future Government of this country changing its policy from localization to one of Africanization, which would involve discrimination against the officers in this category, and which would involve premature retirement in order to create additional vacancies for the purposes of Africanization, then a new situation would arise which would require the Government of that day to consider the position of those officers in relation to the changed circumstances, bearing in mind, of course, that those officers would have to be fairly and equitably treated and that the cost would fall exclusively on this Government, that is to say the Government of Kenya at that time.

For comparative purposes it may be of interest to the House to note the respective numbers of officers of non-African race serving on permanent and pensionable terms covered by the remarks which I have made in respect of the various categories already. First, the designated officers: European 3,205; Asian 29. Now, there is, of course, in these figures which I have just given, a discrepancy with the figures which I gave the other day in regard to the total of designated officers, European designated officers, which were somewhere in the region of 3,900, and the difference is the contract officer, and, of course, certain officers serving on temporary terms. Contract officers do not fall within the figures which I have given today because they do not fall within the compass of the limited compensation scheme, although they fall within the compass of the Overseas Service Aid Scheme under which they are designated. The second category to which I have referred, that is to say what I referred to colloquially as the pre-Lidbury non-designated officer: European 185; Asian 1,771; and the non-designated officer post-Lidbury: European 123; Asian 1,705. It is perhaps also of interest to note that in respect of the totals of those categories, the first category 3,234; the second category 1,926; and the third category 1,828; these total just over 7,000 officers and of those officers the normal wastage annually is in the region of 400 officers and that is not nearly enough for a positive and energetic localization programme.

Under the scheme which is before the House today we contemplate that in the next six months we shall require about 150 posts in excess of the normal wastage figure. This rate is not expected to increase in the second six months of the present financial year, rather we anticipate to continue at the same level. This results in an estimate of a requirement of 300 vacancies during the present financial year, and I think it can be assumed that in the following financial year, the requirement of vacancies for the purposes of

localization over and above normal wastage will be not less than the same figure, 300, amongst the ranks of designated officers. It is proposed that the scheme should be introduced forthwith and, as hon. Members will notice, if they read the scheme, which perhaps they have not read—some may even have read it already!—under the provisions of paragraph 6 of the scheme an eligible officer in a cadre of officers in the service to which an invitation is issued, who elects to offer himself for retirement and is permitted to retire, is required to give six months' notice of retiring. Three months before this notice is due to expire he will be entitled to his initial payment under the scheme and he will become entitled to his second instalment under the scheme six months after his notice of retirement has expired, that is to say, nine months after his initial payment, and one year after the commencement of the period of his notice. At a maximum, it seems unlikely that more than 150 officers of the estimated 300 who are expected to retire during this year will receive more than their initial payment during this year, and it has been calculated that for the total of 3,234 designated officers, the total class, the average initial instalment under the scheme would be about £1,000. Accordingly, the total cost of the initial instalments which we contemplate falling due for payment in this financial year 1961/62 is £150,000, of which £75,000 falls to be paid by this Government and an equal sum by Her Majesty's Government under the Overseas Service Aid Scheme. To this item must be added the cost of commutation of pensions, of which a small share, representing the pension element derived from the overseas addition, will be borne by Her Majesty's Government. Payment of the sum in respect of commutation of a pension is not normally made until the officer's leave pending retirement has expired. In accordance with the provisions of paragraph 6 of the scheme, the minimum period of leave prior to retirement will be three to four months, to which must be added the requirement of six months' notice by the officer, and therefore allowing for advances which may have to be made against commuted pension in accordance with normal practice, it seems unlikely that a sum in excess of £85,000 will be required by this Government in respect of commuted pensions during the current financial year. Therefore, the bill to be met in the present financial year is the sum of £75,000 which I have mentioned in respect of compensation and £85,000 in respect of commutation of pensions, a total of £160,000, which is the amount for which a Supplementary Estimate has been laid and which is due to be taken in Supply as the next Order in today's Order Paper.

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I should make a few observations, I think, Mr. Deputy Speaker, on the method of application of the scheme. I feel I am driving a number of Members to sleep but, still, they do not have to say if they do not want to, and if they do stay it does not matter if they fall asleep! Apart from the very few cases which may arise under paragraph 9 of the scheme, that is to say, retirement due to constitutional changes, I must emphasize that the scheme can only apply where the requirements of localization make it necessary to create vacancies in a cadre or for designated officers to be superseded by way of promotion by local officers. It will not be applied automatically or simultaneously in every cadre. It will only be applied in those cadres in which there are local officers available for appointment, over and above existing vacancies, as a result of localization. When this situation arises, an invitation will be issued by the Permanent Secretary or head of department concerned to the cadre of officers involved inviting them to apply, if they so wish, to retire under the scheme. Where officers do so volunteer to retire under the scheme, their applications will be considered by the Civil Service Commission which will advise the Government. Where the number of designated officers applying to retire under the scheme in any cadre exceeds the number of local officers available for appointment in their places, the Civil Service Commission will have to advise the Governor on the selection to be made as to which of those officers should be permitted to retire, and in making that selection the Civil Service Commission will have to balance the public interest against the private interest of the individual officer. In certain circumstances the invitation to retire under the scheme issued to a cadre of officers would also include some officers serving in the normal promotion posts applicable to that cadre. I have in mind the case where we might wish to invite officers of a grade higher to retire to make a vacancy for promotion of a local officer in a grade lower or where we might wish to allow an officer to retire who is superseded for promotion by a local officer, the supersession, of course, being a preferential or artificial supersession, not one entirely related to comparative merit. Where supersession of an officer is involved on the promotion or appointment of a local officer, the Civil Service Commission will be expected to state which designated officer would have been recommended for promotion by the Commission had it not been necessary for the purposes of localization to recommend preferentially a local officer and that designated officer who has thereby been

deprived of the promotion will be given the option of retiring if he wishes; he can be asked if he wishes to retire under the scheme.

Of course, as hon. Members will appreciate, initially at any rate, the impact of the scheme will be felt mainly in the administrative and executive cadres because, in the professional and technical cadres, the availability of suitably qualified candidates from local resources will not be as great as for the administrative and executive cadres, that is to say, of course, in the initial stages, but in the administrative and executive cadres it is expected, for instance, that by the end of 1962 50 per cent of district officers and above will be local officers and by the same date approximately 25 to 30 per cent of gazetted officers in the police force will be local officers.

There are one or two features of the scheme which I should make clear in order to avoid any misunderstanding. One is that apart from the paragraph 9 officer who has to retire because his post becomes redundant by reason of constitutional change, apart from him, there is no compulsion in this scheme. We retire those officers who offer to retire, who are prepared to retire under the scheme, in the grades in which we want to find vacancies to fit local officers. No officer in a cadre to whom an invitation is offered to retire under the scheme is in any degree obliged to retire; he can stay on if he wishes. Similarly, no designated officer, if he is superseded by a local officer and is given an option to retire under the scheme, if he so wishes, by reason of that supersession, will be compelled to retire. He does not have to do so unless he so wishes. It is also important to recognize the aspect of the control which can be exercised under the scheme. That control will be related not only to the availability of suitable local candidates, but, and I do trust that I have the House wholly with me in this, to the need to maintain proper and adequate standards of efficiency.

In the negotiations leading up to the acceptance of the scheme by the staff side, there was, very understandably, considerable anxiety on the part of the staff side in regard to the initial payment to officers retiring under the scheme.

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

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

They wished that that initial payment should be increased in order to assist the officer on retirement in resettling himself, the necessity for which will have resulted from his leaving the service of this Government. For financial reasons it was not possible to accede to the suggestion that the initial payment should be increased, but some

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measure of compromise was achieved, whereby certain matters which would cause some difficulty to officers in these circumstances at the commencement of their retirement could be made the subject of some form of assistance by the Government. They are mentioned in the scheme and I will merely refer to them very briefly. The first was an arrangement which is referred to in paragraph 6 of the circular for assistance in respect of outstanding motor-car loans. The second was for assistance in outstandings in respect of income tax. As hon. Members know, income tax is paid in arrears here, the year of tax being the year succeeding the year of income on which the tax is assessed. Thirdly, another mitigation perhaps of the severity of the amount of the initial payment was the bringing forward of the initial payment to the officer to three months after the commencement of the six months' period of notice instead of, as previously proposed, on the date of departure on leave, and, similarly, paying the second instalment six months after the date of departure on leave, involving, in both cases, the advancement of those two payments by three months. Of course, by advancing those two payments by three months, there is a chain reaction in respect of subsequent instalments which are similarly advanced. Fourthly, the arrangement whereby an officer is granted the leave which he would have earned in a normal tour if he is unable to complete that tour.

Now, Sir, there have been comments, understandably, on the matter of the income tax exemption of compensation payable to civil servants and it has been suggested that the same exemption should be accorded in respect of compensation payments in the private sector. Now, Sir, my hon. friend the Minister for Finance will no doubt enlarge on this point when he speaks in this debate, but I would merely say that the compensation paid under the scheme to civil servants has been calculated on a "net of tax" basis, that is to say, on a basis of money in the pocket without deductions by way of tax. If this had not been so and if the payments were to be chargeable to tax, they would have to be, of course, very much greater sums and the compensation factors in the table would have had to be adjusted. I find it difficult to relate the circumstances which would arise in the private sector to the circumstances which obtain in relation to this scheme and its successor in due course, a full compensation scheme. I doubt if there would be circumstances truly comparable in the private sector. There will, of course, be certain schemes, no doubt, whereby local staff are taken on, but even in those circumstances I doubt if the features of those schemes by private

firms will really prove to be, on examination, close parallels with the scheme in the public sector, but, of course, Government must always seek to do equity and it would be on that basis that any such schemes would have to be considered. As I say, it does not seem possible that there will, for those two reasons, be a true parallel, but I must leave it at that.

Now, Sir, localization plans have reached a stage in which they, as I said in opening, will be brought to a grinding halt if this scheme is not introduced. There is no other means whereby vacancies in posts held by designated officers can be artificially created beyond normal wastage and normal wastage and replacement thereof by local officers would be but a drop in the bucket compared to the extent and speed of localization which is vital to the progress of this country. The scheme will not only provide the means whereby localization and training proceed rapidly and without undue obstruction, but it will also give confidence to the designated officer, and I hope that it will give confidence to the designated officer to the extent that those which this country requires to stay will be encouraged to do so. Now, let us make no mistake, this country is going to need many expatriate officers for many years, and let us also make no mistake that we—and I speak particularly of the politicians in this House, I said "we", but perhaps I ought to have said all hon. Members other than the Officials—the politicians, if they are going to retain the services of the expatriate officers which this country is going to need, and need so desperately for many years to come, they have got to stop, as I have said before in this House, the political clap-trap which has been all too common in the past of denigrating the public service, of reviling expatriate officers, because they are not going to stay unless they are appreciated, and let this lesson be well and truly learnt. Let us take a leaf out of Mr. Nyerere's book in Tanganyika. Let us see the extent to which he has gone, realizing the gravity of the position if expatriate officers went in large numbers. He wrote to every one personally and gave each one assurances and appealed to each one to stay and assist in the greatly challenging task laid before before his country. Let us approach the matter in the same spirit. It is no good my saying to the expatriate officer in the service, "Well done, you are wanted, you will be needed for a number of years, stay and help this country." It is for the politicians of this country; the leaders of this country, to make it clear to the expatriate service that the immeasurable value of their services to this country is fully appreciated. It is for them to assure him that if he stays and helps this country to meet the challenges of the future, then

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he will be justly and fairly treated and his conditions of service maintained on reasonable and equitable levels. It needs quite a sense of mission for officers to work under the criticism and abuse which has not been infrequent in the past, to work for their own extinction, to work for a country in which so many people for cheap popularity have seen fit to revile and abuse the very officers on whom the country decisively depends. I appeal, therefore, to all hon. Members of this House, to the leaders of all parties, and particularly, if I may, to the leaders of both African parties. The responsibility rests with them. If they make it perfectly clear that the expatriate officer is appreciated, is wanted, that his help is badly needed, and that he will be fairly and honourably treated so long as he stays and until he can be suitably replaced by a local officer, then the quality of the public service on which, in the final analysis, the whole health of the social structure of this country depends, will be assured.

Finally, Sir, I would like to mention the very hard work that has gone into the production of this scheme by the Establishments' experts of this Government, and I should like to mention Mr. Skinner's very hard work in this context, and by the Staff Side, whose representatives have put also a great deal of time and hard work into this and whose approach to the whole problem has been most constructive and responsible. I should also like to acknowledge, at a distance, the hard work which has also been put into it by those officers in the Colonial Office who have been concerned with us in the settlement of the scheme. I am indeed grateful to all for their hard work and for the impetus which the fruits of their labours in the shape of this scheme before the House will give to the processes of localization.

Mr. Speaker, Sir, I beg to move.

Before I sit down, Sir, may I move a Motion in regard to Standing Orders, with your leave.

The Speaker (Mr. Slade): Yes.

MOTION**SUSPENSION OF STANDING ORDERS**

The Acting Chief Secretary (Mr. Griffith-Jones): Mr. Speaker, I beg to move that in accordance with the Sessional Committee Minutes, which hon. Members will have seen, under Standing Order 139 the business of Orders Nos. 10 and 11 and, if that business is concluded before 7.30 p.m. today, the further business of Orders Nos. 11 and 13, be exempted from the provisions of Standing Order

9 until 9.30 p.m. today. That means, Mr. Speaker, that if we conclude the debate on this present Motion plus the debate on the Supplementary Estimate in Supply which follows in the Order Paper before 7.30, we will go into Supply on the Head of Education, succeeded by Agriculture, if reached, but if the debate on this Motion plus the Supplementary Estimate following it is not completed before 7.30, we will go on until we complete the Supplementary Estimate, and then rise.

Mr. Speaker, I beg to move.

The Minister for Finance and Development (Mr. MacKenzie) seconded.

Question proposed.

The question was put and carried.

SESSIONAL PAPER NO. 6 OF 1961: LIMITED COMPENSATION SCHEME**(Consideration of Motion resumed)**

Mr. Speaker (Mr. Slade): I would point out to hon. Members that that means also that even at 9.30 you will not escape, because there is a Motion on the Adjournment which will take up another half an hour.

Who seconds the motion on the Order Paper?

Mr. Guthrie seconded.

Question proposed.

Mr. Chanan Singh: Mr. Speaker, I realize by now that to try to get something in this scheme changed is to strike one's head against a brick wall. I shall not, therefore, raise any questions of principle, but will comment on one or two matters of detail.

The hon. Minister has told us, Sir, that the need for this scheme arises from the need for the localization of the Service. Now, I am feeling some anxiety about the locally born and the locally domiciled children of those officers who are asked to go under the scheme. I hope that their rights as local people will remain and that they, for the purposes of employment under the State, will be regarded as local people if they are locally born and locally domiciled. I am particularly anxious about the children of those pensionable people who are non-designated because at least those of them who are Asians do belong to this country and they are domiciled here.

My next point, Sir, concerns this estimate of £160,000 which will come up before us as a supplementary estimate, but which has been mentioned by the hon. Minister. May I draw the attention of the Minister to the statement in the Memorandum of Objects and Reasons to the Overseas Service Bill, which we passed the

[Mr. Chanan Singh]

other day? That states, *inter alia*, that the enactment of this Bill will not, therefore, result in any net additional expenditure of public funds. There seems to be a little inconsistency between that statement and the demand for £160,000 now. There may be an explanation and, perhaps, the hon. Minister will give it.

I wish to refer, next, to paragraph 11 of Enclosure A to the Sessional Paper. The hon. Minister has told us that this does not cover the post-Lidbury non-designated officers. Presumably it is for that reason that officers who converted with inducement or who joined the service with inducement after Lidbury but who are not designated do not come under this. If that is so, Sir, then I do not see how the definition in paragraph 2 of Enclosure B can be upheld, because that includes non-designated officers who are members of Her Majesty's Overseas Civil Service, so that if they joined after Lidbury and they are not designated, how can they come out under this scheme? If some non-designated officers are not covered, then it follows that all should not be covered. I am not saying that they should not be. My whole contention throughout these discussions has been that all officers similarly situated are entitled to be considered for the purposes of all the benefits which this scheme con-

Mr. Shah: Mr. Speaker, Sir, in principle I do welcome the process of accelerating the localization of the Civil Service, and I have a few comments on certain aspects of the Sessional Paper.

I feel that the Government is becoming, or has decided to become, more generous towards those officers who choose to retire voluntarily, by way of giving them assistance in the way of income tax relief on compensation and by giving them another benefit which I do not think is necessary, namely, the commitment on behalf of the Government that their owner-occupied houses will be purchased.

The Acting Chief Secretary (Mr. Griffith-Jones): I can assure the hon. Member that there is no commitment. There is merely an expression in the circular rather of taking individual cases of owner-occupied houses into consideration in the light of certain circumstances; and that only refers to those officers who are compulsorily retired under paragraph 9 by reason of constitutional change.

Mr. Shah: Thank you for your explanation. I saw that there was some provision for purchasing the owner-occupied houses belonging to these officers. What I wanted to say was that even if

the Government has to do so in some cases it should be seen that the Government does not lose anything financially. I would not mind helping an officer who has to leave the country, but I would definitely like to see that the Government does not lose taxpayers' money on houses.

There is a provision in this that those officers will not be required to refund their compensation if there is a break in service between the last day of their pensionable service in Kenya and the first day of their pensionable service in the Home Civil Service. This provision relates to those officers who might be able to get into the Home Civil Service in England. This is a good idea, but there is a flaw in this, and that is that if there is a break, then the officer is not obliged to refund the compensation to the Government; and in order that he does not have to refund the compensation, I think that the officer might find a way to have a break between the two periods of service. There should, therefore, be, in my opinion, some way out by which no officer, if after all he joins the Home Civil Service, can escape the refund of his compensation. He should not be entitled to make a break of some days, weeks, months, just in order to have his compensation.

Another small point I would like to bring to the notice of the Minister, Mr. Speaker, is the maximum amount of compensation payable under this scheme to any officer will be £12,000 and that amount will not be liable to income tax. In my opinion, it is again a matter of opinion, this amount is really too big because even if one retires voluntarily from the service one would be in a position to occupy oneself either in this country or in some other country in the world and earn something. In my opinion, to give such a large lump sum would be too big a burden on the taxpayers and those of Britain, too.

There is one more point, about leave. It is stated in one of the clauses that in exceptional cases the Government will be prepared to consider granting six months' retirement leave to an officer whose earned leave falls short of that amount. I really do not see the reason why six months' leave should be given to an officer who has earned say, three months' leave, because that again will be an unnecessary burden on the taxpayers.

Mr. Speaker, there is another provision, and that is about the arrangements on transfer. It also states that pensionable public servants who have not had a break in service and who accept transfers will be liable to return any instalment of compensation paid. There again the provision, in my opinion, is such that the officer would not be obliged to accept the transfer in such a way that

[Mr. Shah]

he would have to refund the compensation. I would, therefore, request the Minister to look into this to see that the decision is not in the hands of the officer in such a way as to have the benefits of both worlds.

My next point, Mr. Speaker, is that it is stated here that the interest payable on the balance of compensation due to an officer may be liable to income tax either in the officer's country of residence or in Kenya. Here, Sir, the word "may", I think, is not proper. It should be "shall" because an officer already gets a great many benefits but when interest is earned on compensation it should be clear of tax. I mean, of course, that the Government can decide to levy the income tax on that amount, but I think that the provision should be made very definite that the officer will have to pay income tax earned on the compensation.

The last point, Mr. Speaker, which I would like to draw the attention of the Minister to is that I would like him to inform the House whether there are any and, if so, what the numbers are of officers who are already in the Civil Service and who are already drawing pensions but who are still working in a department of the Civil Service, who are receiving their pensions because they have already retired but who have been re-engaged and who may have wives occupying positions in the Civil Service on a temporary basis. My point is that we are trying to create posts for local people through the retirement of officers on compensation. First, the pensionable officers who have been re-engaged and the wives of officers who are occupying certain posts in the Civil Service should be retired. There the Government will not be obliged to pay any compensation and those people should be retired first. Only after that should you retire the other officers on compensation.

Thank you, Sir.

Mr. Mwanjumba: Interjection.

Hon. Members: Speak up!

Mr. Mwanjumba: I was saying that the hon. Minister has accused African politicians of using some abusive language which has not pleased the expatriate officers. Personally, Sir, I would say that as far as we are concerned we still need quite a number of these people here in Kenya. If the brains we need in Kenya are not here then we need to get expatriate officers. But if an African has the same brain as an expatriate officer then I would say that that person should be replaced by a local person. However, I would like to add that the scheme should go as fast as

possible in the direction of recruiting Africans who are already here in Kenya but who do not have Government jobs because probably they have differed with their heads of departments when they were in the Government service. Those people should not be forgotten if they have left the Government service because of some friction with the head of their department.

I would also like to point out that there are many expatriate officers who, because of their past activities, are afraid to stay. I would not mind them going if they feel that it is too much for them to be under an African Government.

I will now just make a few observations on the localization schemes. We feel that the Government is accelerating this localization scheme in some prominent or definite areas of Kenya. Some other areas have almost been forgotten and I would like to remind the Minister that we have a grievance in the Coast Province where many smaller tribes in the isolated districts are not considered when these schemes come out. Already there are quite a number of people who have occupied very senior posts in the Administration just this year, but if you look at the figures you will find that very few of those who have had these posts have come from these isolated places.

The Speaker (Mr. Slade): This is not really relevant to the Motion. We are dealing with the compensation of expatriate officers and not the choice of the local people who will fill the places which they vacate.

Mr. Mwanjumba: Mr. Speaker, I think I was talking of localization which was referred to by the hon. Minister and I was just bringing home some points which we think are important.

The Speaker (Mr. Slade): The purpose of this scheme is to facilitate localization, but the Motion is not concerned with the method of localization. The Motion is concerned with making localization possible.

Mr. Mwanjumba: Well, Mr. Speaker, I will not bother the House with that point of view any more.

The only points I wished to deal with concerned the grievances people feel they have concerning localization. Thank you.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I would like to speak very briefly on this. The intention of the compensation scheme has been waited for by the country for a very long time. It is the general desire that Africanization or localization should be speeded up and this is the purpose of the scheme before the House this afternoon.

[The Leader of Government Business and Minister for Education]

First, I would like to express the gratitude of the Government and the country to the expatriate servants who have rendered such very good service to this country.

Mr. Chokwe: Mr. Speaker, on a point of order, there are two terms being used in this House, namely localization and Africanization. I would like the Minister to be specific about the one he is referring to.

The Speaker (Mr. Slade): That is not a point of order, but the Minister may reply to it.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, I would not have given way if I had known what the hon. Member was going to say. That was not a point of order. Thank you. The Government and people of Kenya are very grateful for the good service which has been rendered by expatriate civil servants and we very much realize the importance of retaining those expatriate officers who the country will continue to need until local officers are available to replace them. The intention of this Paper is to make room for local people who have the ability and the qualifications necessary for the different jobs which this country has to do. It is quite clear that according to the constitutional changes and the transitional period that is facing this country it is inevitable. That is why we feel that it is very appropriate that this Paper should be considered favourably by the House this afternoon. I am sure that if this Paper is passed it will indicate that the Opposition appreciates the move which the Government has taken. Therefore I think that the Paper will be passed. If it is passed then the localization or Africanization will be possible and this will be fulfilling the long-felt desire of the country.

There are some people who think that localization is not being carried out as quickly as they would like it to be done. This is a step which the Government has taken so that it can be done as quickly as possible. I will take the example of Tanganyika. When they were nearing independence such schemes were put forward by the Government so that local people would have the opportunity to take up responsibilities in the service of their own country and we, here, are doing the same thing. I think that there is nothing strange about that, but I would like those officers who will be given the compensation not to feel that we have not appreciated their services but that it is because of the political situation and the constitutional progress that this country is making that this scheme is put before them. I would like those who will remain because of the importance

of their own expert knowledge to feel that we will still want them until such time as we have our own local officers to replace them. We very much appreciate their service now and we shall continue to appreciate their very useful contribution to this country until we get local officers to replace them. Therefore I would like to congratulate my colleague, the Minister concerned, for taking this very wise move to make the country reach a stage where her own people can contribute in services in the interests of the whole country.

The Acting Chief Secretary (Mr. Griffith-Jones): Mr. Speaker, perhaps I can do my hon. friend, the Member for Mombasa West, the wholly undesired honour of answering his point, made so illegally, first. As I understood it, he sought to have a definition of the difference between localization and Africanization. I have explained the distinction before in this House, no doubt when he was not in the Chamber. The position is that this Government's policy is one of localization, that is to say, to introduce into the service local officers, persons who are Kenyans. At the same time, in that process of localization, Government considers it right to reflect in the Civil Service the proportions of the various communities compared to each other in the country. That means that, initially at any rate, the emphasis of localization has got to be an emphasis on the introduction of Africans, particularly at the higher levels, because the proportion of Africans at the higher levels of the service is very much less still than the proportion of Africans to the total population. We want to reflect in the public service of the country, broadly speaking, the population proportions in the country. However, it is still localization.

Africanization is a different policy in its strict sense. It would mean a policy of making the Civil Service progressively wholly African, excluding other Kenyans of non-African race.

Mr. Odunga: What is the definition of an African?

The Acting Chief Secretary (Mr. Griffith-Jones): That is a matter of opinion, where we have got to and where we are going. I do not think we ought to go into the terms of the definition of African at this stage. We can use the word in its generally understood sense for the purposes of this particular issue.

Anyhow, it does not arise at the moment, because as I have said the policy of the Government is localization. It is only if a future Government should change the policy to a policy of Africanization, as I have explained earlier, when

[The Acting Chief Secretary]

I was opening this debate, that a change from localization to Africanization would mean that all the non-African local officers would require some sort of compensation on being displaced. That would be an enormous bill, quite apart from all other considerations, for this country to pay on its own. It is, perhaps, a slightly sobering thought even though it is a rather cynical approach to the problem.

Now, Mr. Speaker, I am grateful to hon. Members for the reception which they have given this Sessional Paper, and the fact that really there are only comparatively small points of detail which have been raised for answer from the other side.

My hon. friend, the Member for Nairobi South, asked that the locally-born children's rights should be preserved. He is not here, but I can assure him that this scheme in itself will not in any way affect the locally born children of officers who may retire. It will depend, of course, entirely on what happens, if the officer stays in this country in some other form of employment or occupation, presumably the children will stay with him, but it will not affect their status. As least, I cannot see how it will do so.

He referred to the Objects and Reasons attached to the Overseas Service Bill to the effect that the enactment of that Bill would not involve the expenditure of public funds. Of course, the Bill scheduled the Agreement and the Agreement clearly forecast the payment of compensation in certain circumstances, but—I do not want to swear by the book—the Bill itself did not in fact involve the expenditure of public funds. It contemplated certain contingencies in the future which most clearly, of course, would involve the expenditure of public funds, but they were not matters which were direct consequences of the Bill.

The hon. Member also raised a point about the post-Lidbury officer with inducement, and I think the point was to the effect that the post-Lidbury officer with inducement should be within the scheme, either that they should all be in the scheme, or they should all not be within the scheme. The distinction is, I think I am right in saying, that only those post-Lidbury officers with inducement who have been accepted as members of Her Majesty's Overseas Civil Service are included in the scheme; the others are not, and, of course, there is a distinction, there are certain qualifications showing clear expatriate qualities in the character of the officer which entitle him to membership of Her Majesty's Overseas Civil Service.

My hon. friend, the Member for Nairobi Central, referred to the owner-occupier and the question of—he said—buying his house. As I said when he kindly gave way to me, there is no commitment on Government's part to buy an officer's house in those circumstances. Obviously, though, the Government must do what it can to assist an officer in such circumstances, particularly if he is compulsorily retired, and it is only those officers who are compulsorily retired under paragraph 9 to which this particular reference is made in respect of owner-occupiers. His point, I think, was that while he did not object to the Government helping an officer it should not be in such a way that the Government would incur loss. I have fully taken his point, that if the Government can assist reasonably and without, as he says, incurring loss, then the Government, of course, will be disposed to do so. It does not apply, of course, in respect of the officer voluntarily retiring under the scheme; I must make that clear; though, again, there is nothing in the circular here, we would hope those officers who do choose voluntarily to retire under the scheme would be able to find a market for their houses if they wished to get rid of them before they leave. Some of them may prefer to leave them on lease by way of a form of investment until the market recovers to a fully economic level, and it may be that in some cases we might be able to help in that sphere.

Now, the hon. gentleman also referred to the reference of a break in service for an officer who enters the Home Civil Service. This has been introduced, of course, as a concession or as an attraction, even to the officer, because it is very unlikely that an officer who is able to get an appointment in the Civil Service in England after some years of service abroad will be able to enter that service at a level comparable to that which he had reached in the service in this country, and, Sir, I do not think the principle of assisting him to retain his compensation in order to resettle himself, even though he has been fortunate enough to get a post in the Home Civil Service, at no doubt an appreciably lower level and a very much lower salary than he had been enjoying, that the principle of that concession is really so outrageous when its justification is fully understood.

Now, the hon. gentleman also suggested the ceiling of compensation at £12,000 free of income tax was too high. The financial parts of this scheme have been accurately calculated and the amount of the compensation is determined on a factor related to the length of service, age and salary. The figure of £12,000 is the same figure as is applied to the full compensation scheme in

[The Acting Chief Secretary]

Tanganyika and as is applied to the limited compensation scheme in Uganda. It is less than the ceiling of compensation in one or two other territories. Speaking purely from recollection, Singapore and Malaya were either higher or at about the same level; British Somaliland and Cyprus, I believe, were higher, but I am speaking subject to correction. Anyhow, these figures are calculated by the actuaries, and if there is anybody who is more difficult to understand than an economist, it is an actuary.

The question of leave which the hon. Member referred to is again a concession to ensure that the officer who may be asked to retire and make way for a local officer in the middle of a tour should not thereby be deprived of the expectation of leave which he would have had at the end of a normal tour. It is not really a very great concession, but it does mean that the officer gets six months' retirement leave, and it is not unreasonable, when one considers that he has to try and resettle himself and his family, to find fresh employment or some other form of remunerative occupation on which to sustain himself and his family.

I am not quite sure that I understood the hon. gentleman's point about transfers, but perhaps he would care to have a word with me afterwards and I will try and explain it to him.

He did make a point that the interest on instalments is expressed in the scheme to the effect that it "may" be liable to income tax. Of course, it will be liable to income tax if it falls within the charge of tax imposed by law, but as the hon. gentleman knows, it is only after a certain level of income is reached that income in excess of that level becomes chargeable to tax, and the word used is "may" because in some instances the interest will not amount to very much and will probably not, unless there is other income to aggregate with it, pass the level of the personal allowance, in short.

The hon. gentleman also asked about re-employed pensioners and officers' wives. Any persons in those two categories are on purely temporary terms and are not affected, of course, by this scheme, and certainly no temporary officers will obstruct localization because they are subject to termination of their services on notice. They will not in any way impede localization.

The hon. Member for Taita said that the scheme should go as quickly as possible. I wholly agree with him, and I was very glad to hear him acknowledge that expatriate officers are needed.

and indeed I hope welcome, until suitable local replacements are available.

I should like, in conclusion, Mr. Speaker, on behalf of the Service, and particularly the expatriate officers in the Service, to express my appreciation of the remarks of my friend and colleague, the Leader of Government Business. It is just such encouragement and assurances which will give the expatriate service that continuing enthusiasm in its mission which will enable it to continue to serve this country and help it until it can provide its own servants from its own sources.

Mr. Speaker, I beg to move.

The question was put and carried.

COMMITTEE OF SUPPLY

Order for Committee read.

IN THE COMMITTEE

[J. I. M. Nyagah, Esq. in the Chair]

MOTION

SUPPLEMENTARY ESTIMATE (NO. 1) OF 1961-62
—COLONY

The Minister for Finance and Development (Mr. MacKenzie): Mr. Chairman, I beg to move that a sum not exceeding £160,000 be granted to the Governor on account for, or towards, defraying the charges of Supplementary Estimate No. 1 of 1961/62.

Sir, the purpose of this Supplementary Estimate is to enable the Government to meet Kenya's share of the payments to be made under the Limited Compensation Scheme which the House has just approved without opposition. In the circumstances, Sir, I feel that it is unnecessary for me to make a speech regarding this matter. My hon. friend, the Chief Secretary, explained how the figure was made up in his speech and, therefore, Sir, I beg to move.

I would like, Sir, to express the Governor's consent to this particular Motion.

Question proposed.

VOTE 15—PENSIONS AND GRATUITIES

Heads A and F agreed to.

The question was put and carried.

The Minister for Finance and Development (Mr. MacKenzie): Mr. Chairman, I beg to move that the Committee doth report to Council its consideration of a resolution that a sum not exceeding £160,000 be granted to the Governor

[The Minister for Finance and Development] on account for, or towards, defraying the charges of Supplementary Estimate No. 1 of 1961/62.

The question was put and carried.

The House resumed.

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

REPORT

SUPPLEMENTARY ESTIMATE (No. 1) OF 1961-62
—COLONY

Mr. Nyagah: Mr. Speaker, Sir, I beg to report that the Committee of supply has considered a Motion that a sum not exceeding £160,000 be granted to the Governor on account for, or towards, defraying the charges of Supplementary Estimate (No. 1) of 1961/62, and has approved the same without amendment.

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, I beg to move that the Council doth agree with the Committee in the said resolution.

The Acting Chief Secretary (Mr. Griffith-Jones) seconded.

Question proposed.

The question was put and carried.

COMMITTEE OF SUPPLY

Order for the Committee read.

VOTE 21—MINISTRY OF EDUCATION

(Resumption of debate interrupted on 12th July, 1961)

Mr. Wabuge: Mr. Speaker, Sir, in my speech I wish to continue to speak on primary education. In my opinion, more primary education should be provided in the country, and in addition to that we feel that the common entrance examination, as I said in my speech, should have been abolished throughout the country, and not be abolished in some areas, leaving some other areas carrying on with this common-entrance examination. I feel that it is one way of eliminating African children from having education.

Mr. Speaker, Sir, I noticed that in the hon. Minister's speech some areas, like Nairobi, Mombasa and Kwale, will not have this common entrance examination. While he was referring to these areas he said that some areas will not be able to be provided with the same facilities. If it is a question of talents whereby more schools are being provided I feel that in my own constituency, Nakuru, it should also be exempted from having this examination, because I know

that throughout the Rift Valley there is no area where the schools are being exempted from common entrance examination. Mr. Speaker: I hope the hon. Minister in his reply will tell us when he intends to abolish the common entrance examination throughout the country.

I also noticed in his speech that he is having a plan for seven or eight years' education, and we want him to tell us whether he intends to have this plan in next year's Budget, or in the near future, because most of the people in the country feel it is not wise to have this common entrance examination.

Mr. Speaker, Sir, another point I wanted to make is about day secondary schools. In my opinion, it is very difficult to have a day secondary school where you find the population is scattered, but in areas where there is more population, I feel that the Government should encourage these day secondary schools. In areas like Nakuru, for example, if we were to get a day secondary school, this could serve more purpose, because there are more children in the area and they are nearer. They can go to school in the mornings and walk back to their homes in the evening. Therefore, I feel that a day secondary school in Nakuru should be provided. I understand according to the regular Vote they are going to have these in the near future; it might be 1963, but I feel if it is 1963 it should be made clear to the House whether it is going to be definite or something which is still in doubt.

Mr. Speaker, Sir, on the question of trade and the technical schools, throughout the Rift Valley Government has never established any trade and technical school, so I have seen the Government and its intention is to have these in other areas on a district basis or a provincial basis. I want to urge the Minister for Education to establish one in the Rift Valley, either at Nakuru, Eldoret or Kapsabet, where the Government feel is suitable. I am also given to understand that they have suggested that one should be established in Eldoret, and what is happening now, I do not know. I want the Minister in his reply to tell the House why this was suggested and has not been put into operation.

Mr. Speaker, Sir, one thing I want to mention—some other speakers have mentioned it—is about the increase of school fees. Income tax has been increased and customs duties have been increased, and I feel that the increase of school fees will put more burden on some parents who are poor at the present moment. I think increasing school fees is one way of making more children not attain education. It would have been wise if the school fees could have remained in

[Mr. Wabuge] the position where they were, I know there is no money in the country, but it is the duty of the Government to find ways and means to get money rather than to increase taxes and school fees to get revenue. This is going to bring more difficulties to the parents of the children.

Mr. Odunga: You must find a way.

Mr. Wabuge: That is why we formed a Government and that is why we are trying to find a way. I wish you would cross the Floor so you could assist on this side.

The Speaker (Mr. Slade): Please address the Chair.

Mr. Wabuge: Thank you, Mr. Speaker.

Another thing I want to mention is about the regional board. In my opinion this regional board should be reviewed because in some areas you find that these boards do not normally listen to the views of the people. Some people feel that those on the regional boards should be elected by the people so that they can represent the views of the given area. I feel that when the hon. Minister is replying he should tell us the composition, as to how these people are elected to these boards.

Mr. Speaker, I find that in this Vote the money has been increased on last year's Vote. This is a good idea, and I feel that if the Minister will distribute this money wisely it will help to serve the purpose, though the money we require now is more than that. However, with the little there is, which is more than last year's, it should be the duty of the Minister to see that the areas which lack education should be given something in order to carry out the functioning of education in any given area.

With these few words, Mr. Speaker, I support the Vote.

Mr. Sagin: Mr. Speaker, Sir, I have a few comments to make about education. I agree entirely with Mr. Wabuge about the abolition of the common entrance examination. I know very well that the problem will be teachers when we get rid of these examinations. I think the problem would be solved by employing a combination of trained and untrained teachers. I also know that the education is going to be mediocre, but many will get it. I think it is high time these examinations were stopped because they are very bad for young children. I have been a teacher myself and I know they are a bad hurdle.

I want now, Mr. Speaker, Sir, to speak about the headmasters' allowance, the responsibility allowance. Most headmasters in this country in

primary schools, intermediate schools and even secondary schools do not get responsibility allowances. I think they deserve them because very often, whenever anything goes wrong in a school, the headmaster is blamed for it.

[Mr. Speaker (Mr. Slade) left the Chair]

[Mr. Deputy Speaker (Mr. Nyagah) took the Chair]

I have been a headmaster myself and know how hard it is, for example, to discipline teachers. You get the blame whenever things go badly. An example of this is when there is a strike; the headmaster is blamed for it, so I think he should be given a responsibility allowance. This includes headmasters of primary, intermediate and secondary schools.

Now, Mr. Deputy Speaker, Sir, I want to speak about degrees. People who have had degrees from India, the U.S.A., Holland, Germany or elsewhere are discriminated against. If you are a graduate from India and you have a B.A. degree in education your initial pay—I am talking of past pay, not present pay—is £534 a year; if you are from Britain it is £678 a year. The difference is £144. I know, I have an American B.A. degree and I know the systems differ. They differ, but it does not mean if you get your degree at Harvard University in America in mathematics it is not as good as getting it at London University or Oxford. The curricula are the same. If you took mathematics at Harvard the curriculum is the same there as it is at Oxford. Two plus two is four here, and it is the same in Moscow and Hong Kong. It is very difficult. I agree that institutions differ. Some are strong on science. For example, I am told that Cambridge is very famous for its mathematicians, but it does not mean that there are no mathematicians in Moscow or in China or in Holland. If you have the gift of mathematics here you will have it in Holland, you will have it in Bandung. So I think something ought to be done about this; it is something very bad and discouraging, this question of degrees. Sometimes I have met people from Oxford who are very bad teachers; some of them are very good indeed, but there is this discrimination.

Now, Mr. Deputy Speaker, Sir, I come to the question of teachers' salaries. Education is the pressing need for the whole of Africa. Kenya also needs teachers to educate the masses, so I think the teachers' salaries should be made more attractive.

Now I come to something that is going to do with anomalies in salary scales. The Asian K.T.1, that is Kenya Teacher One, is paid more than the African Kenya Teacher One. Why I do not

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know. They have the same school certificate for the two years' teachers' training. I do not know what explanation the Minister will give for this anomaly. I know that the teachers of this country hate this very much; they think it is awful! They should be paid the same. I might be wrong with this figure, but I hear the Asian Kenya Teacher One is paid £471—that is before the salary revision—and that the African Kenya Teacher One is paid £295 5s. Now, there is a difference and this is annoying. I have been a teacher myself and I know of prospective candidates who would like to go in for teacher training but are afraid of doing so because of this anomaly. I am not trying to say that the Asian should get less. No, it is a question of justice; they should be paid the same.

Another thing is this, and this is really bad. I know of a K.T.3 teacher—that means a man who became a teacher after completing eight years of education, that is K.A.P.E., and had two years' training—who was lucky and became what is called a district assistant. Upon being employed he was given £624 a year. Now we have what are called the A.E.O.s, the assistant education officers. Some of them do not possess School Certificate. This is very unjust because the other man has a lower qualification, but as soon as he becomes a district assistant he is paid £624. The man who is called an assistant education officer gets less than his fellow. This is what makes brilliant students decide not to join teacher training, which means that in future if this practice continues we shall lose the brilliant minds.

Now, here is something again. Well, I made that point anyway. This must be rectified. If somebody is in administration in education he should be able to get the same pay as his counterpart in a proper Provincial Administration. Very often the assistant education officer might be busier than the other one. He also goes round schools, he deals with a lot of problems just like a district officer does, so the pay must be the same.

Now, Mr. Deputy Speaker, Sir, I come to housing. In most of the schools in this country, especially secondary schools, you find separate residential places for white people and for the African teachers. I think this system should change at once, because that is segregation, it is residential segregation. We should get away from it as soon as possible. If somebody comes from Makerere and has a B.A. degree as a teacher and he is qualified and goes to Kisii or Kakamega or Machakos, he should get a house and pay house rent. I am sure these teachers pay house rent every month. But we should not have places for

Europeans and places for Africans. That is really disgraceful; it is not good.

Then I come to another important question, that is housing. In most intermediate schools in this country teachers live in hovels. It is very shameful. I know we do not have much money maybe to do this, but I think, Mr. Speaker, Sir, a system should be found whereby the African district councils could get loans to build houses and teachers could pay house rents. In most intermediate schools teachers' places are really ramshackle. How is the teacher going to impress upon the minds of the young to have good houses, with windows, which are clean and roomy for children, and so on? I know of teachers who have large families. I know a headmaster who has eight children, and with his wife and himself that is ten, and they live in a small house which looks like one of those huts for policemen, which are no good either.

Now, Mr. Speaker, Sir, I come to the question of the board of governors. What I want to say here is that the idea of getting district commissioners and chiefs to be members should cease. If the chief is a good one and he is progressive, he should be chosen, but they should get teachers and some parents who are interested in education, to be members, who, I think, know the problems. It would be a good thing if we stopped district commissioners and chiefs continuing in this way. If they are good ones and are chosen by the people, that is good, we have no quarrel with them.

Now, Mr. Speaker, Sir, I come to the question of day secondary schools. I think day secondary schools should be encouraged. It seems as if the Government does not approve of them very much; they approve of them in principle, but there is some fear. I think it is because of the independent schools in this country, and especially in Central Province, because in pre-*Mau Mau* times there was some nebulous indoctrination against the Government. I have not got the facts, but I think now those days are over and it is no good for people to wait for the Government to do things for them, but to take the initiative and to build schools. For example, there is a secondary school in Nyanza; built by the Maragoli. We are trying to start one in Kisii, a good school which the Government will inspect. Let us forget the old days, those black days. We do not want another fear.

Now, Sir, I come to Mawego Technical School in South Nyanza. I hope the hon. Member, Mr. Ayodo, will allow me to say something about a school which is in his constituency, because South Nyanza was one constituency, but now it is split

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and Kisii is separate. However, I do not think he will mind. There, young men are trained to become grade 3 artisans. I think it is time the Government gave them money to train grade 2 artisans, because the young men who are trained there by the Catholic brothers do not get jobs easily, and it is very difficult. I do not think they have sufficient funds. They have a little, but not sufficient funds to continue, because I learnt from that that young men, after completing the courses do not get jobs easily, and I think we need artisans in this country. Therefore, the idea of giving them extra grants so that they would be able to train grade 2 artisans would be very helpful.

Now, Mr. Deputy Speaker, Sir, there is the question of language. I think many people will agree with me that in our secondary schools foreign languages should be taught. For example, German, French and Spanish. I was in the United States of America, and I found it was rather difficult for someone who had been, for example, to Makerere, where he did not learn a foreign language, to begin a new language I had taken a very good degree and passed with flying colours. However, at Harvard or Princeton University, doing a foreign language is a requirement for Ph.D., and it is too late to begin then. You have to learn German or French, and it is difficult. I think the hon. Member for Fort Hall, Dr. Kiako, faced that kind of thing when he was reading for his degree. They say, "Here is a brilliant young man from Africa". But then you are told to study a new language, and it is an ordeal, especially when you are over 30, say German or French. I found French sounds in the U.S.A. very difficult to make, after learning English. It was very difficult. You have to squeeze your nose and make some funny sounds. Therefore, I think that at an early age in high schools it would be a very good thing, especially as we shall need people to do research in atomic physics and other subjects in the future, if people do not shoot us from Mars!

Now, Mr. Deputy Speaker, I come to the question of the education of women. Here, I will be selfish, and I would ask the Government to consider building a secondary school for Kisii girls. The Kisii people are very reluctant to send their girls to different districts. Probably they fear they might marry there. I do not know. I have no objection to a Kisii girl marrying someone from another tribe, but there is this fear, which means that their education will lag behind others for many years to come. There will come a time when they will send them easily to Kiambu or Mombasa, but at the moment I know they are very reluctant or scared that the girls might

become less submissive or something. That is important for my area.

Now there is the question of localization. Mr. Deputy Speaker, Sir, in the Education Department, I think more Africans should be district education officers. I know there are Africans with integrity of character who could become district education officers. After all, it is an administrative job, collecting fees and seeing that things are going on very well. It is not very difficult to get people who can take up these jobs. Now, when I say that, I do not mean that British people should not be district education officers; there should be a mixture, but more teachers could become district education officers if you gave them an opportunity to do so.

Now, I would like to talk about the question of school integration. Mr. Deputy Speaker, it is high time the European and African high schools allowed students of the various communities we have here, such as the British community, and so on, to go to each other's schools. Here they will be able to live together and there will be mutual understanding, and living together will solve the fears some people have. I know some Africans have been fearing Europeans for a long time, and also now I hear Europeans are fearing Africans. If they come together, study together, see the problems together, it would be a good training for future citizens of this country. At school they would be able to play together, do examinations together, and there would be no problem. It is no use delaying this, it will come one day, whether you like it or not. It is better to start now, right away, and get on with school integration. Once you have a school which caters for the white people, one for the Asians and another for the Africans, the psychological effect that they are separate makes all the difference.

Now, Mr. Deputy Speaker, Sir, I come to the question of Higher School Certificate. I would like to ask the Government to think of the question of starting a Higher School Certificate class in Kisii School next year because I think Kisii School is a very decent school. We have beautiful land, the climate is perfect. I do not know why the Higher School Certificate classes are being confined to Kamshinga and Kakamega. I heard that all these classes are being confined to North Nyanza. I know our boys can go there by bus, but people take pride in these institutions. I know North Nyanza is Kenya, but people take pride in them. For example, there are schools like the Royal College in Kikuyu-land; I wish it were in Kisii, not because I dislike the Kikuyu, but because people take pride in these institutions. This one is rather serious; I want them to study in Kisii next year. If

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you want more land we shall give you more land, but I think there is sufficient.

Another thing, Mr. Deputy Speaker, Sir, I want to speak about is teacher training in Kisii. There is not a single teacher-training school in Kisii District. There is nothing, so I think if we started one it would be very good, even for training T.3s. A local one would be very good, and we need it. There are none, and Kisii is a district now. Kambagambo is on the boundary; you would not say it is in Kisii really. It is not enough; it is a small school.

An hon. Member: What about Kambagambo?

Mr. Sagini: An hon. Member says—"What about Kambagambo?" You would not define it as a Kisii school. It belongs to South Nyanza and Kisii. It is a marginal school. I am not trying to talk about segregation here. There is no segregation. It is just for the sake of convenience.

Another important institution I want to talk about is a Jeanes School. We should have a Jeanes School in Kisii because I think this kind of institution is very important. It is here that women who have never had an opportunity to go to school, and men who have never had an opportunity, can learn reading and about domestic science. It is an indispensable institution. Where I was in America I saw there were community development programmes and they were so advanced with their technology. I do not know who thought of getting rid of Jeanes School, but it is very serious. I think education is very important in a democratic country because an educated electorate is very essential for the good running of democracy. We need this kind of institution where people can get education. Whether or not they become very highly educated, it enlightens them and they begin to understand what democracy means.

Another thing, Mr. Deputy Speaker, is the question of the rural agricultural schools. This is another form of community development. This kind of school is very important to the people because they learn how to conserve soil, how to rotate crops, and so on, so that they do not exhaust the soil. It is very important. If you do not give me a Jeanes School then give me a rural agricultural school, because Kisii soil is excellent. I went down the other day with the hon. Member for Fort Hall, Dr. Kiiano, and he looked at our soil and thought it was excellent. If you do not give me a Jeanes School I want you to give me a rural agricultural school. I will not mind. After all, where can you draw a line of demarcation when you talk about these things.

An hon. Member: Interjection.

Mr. Sagini: Well, if that is how you reason, then the Minister for Finance is everything in this House.

Another thing is that I found out when I was reading something about the Ministry for Education that there were more education officers looking after European education. There were 280 European education officers in charge of European education. There were 185 officers looking after Asian education. There were 222 education officers looking after African education. I think this is unfair. The services given to the Africans are inadequate, because we have more schools, more pupils or students to look after, so this should be rectified.

That is all I have to say.

[Mr. Deputy Speaker (Mr. Nyagah) left the Chair]

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

Dr. Kiiano: Mr. Speaker, Sir, I am very glad that it has been possible to discuss this very subject of education in this Council before we rise at the end of this week because I consider that it is so important and particularly to the African people. It is quite true to say that next to our love of freedom is our love for education. I do hope that as we debate these matters here we shall come up with fundamental changes which will reorganize the educational system of Kenya in order to strengthen the foundations for the independence that we are just about to achieve.

Now, Mr. Speaker, Sir, as I have very many points, I will try not to be too long. I know that I shall be very unpopular if I speak for too long because hon. Members are hungry and they would like us to go home. I will, therefore, be as brief as I can and will start by saying that I was quite happy to hear the Minister suggest that he is going to form a committee to re-examine the educational system in this country. I would like to say that that committee has been long overdue, and I do hope that when it starts to do its work it will perform a thorough re-examination of all the aspects of education in Kenya, that it will not simply be a committee committed to replacing the Beecher Report, that it will not just be confined to one type of education. It should recommend a thorough reorganization of education to see whether the type of education we give the people in this country really meets the requirements of this country. In this respect I will be making a number of propositions, but I should say that the Minister was somewhat shy when he was referring to the ending of the functions of the Beecher Report, and its recommendations. I hope that the Beecher

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Report is dead, and that we shall start a new phase in our educational system.

Now, Sir, if this committee is going to be set up there are a number of things that must be looked into. In the first place we must look at the question of the colour bar in the educational system. We are told there is no colour bar, and yet the hon. Member for Kisii has indicated that there are some differences, particularly with reference to the salaries of teachers who are engaged and those teachers who have the K.T.1, and this is something which must not be tolerated any longer.

We have also problems concerning the examination of students when they have finished their seventh or eighth grade. For example, I understand that the Kenya African Preliminary Examination for African children at Standard VIII is different from the European one, and not only different in material details, but also I think that the Europeans only take two or three subjects, whereas the African children take about five subjects. Now, Sir, these kinds of differences should be re-examined to see whether there can be some improvement in the situation.

Now, Sir, I would like to go from point to point and make a number of proposals. The first one, Sir, is this. It is true that a number of districts like Nyeri, Fort Hall and Kiambu are doing their best to make sure that the children who finish Standard IV will go on to Standard V in order to get rid of the great wastage we have been having of so many children not being able to continue with their education after Standard IV. But there are a number of points which must be looked into and one is this. There are quite a number of districts, Mr. Speaker, which are not financially able to meet this requirement and who are not able to create more intermediate schools. If we keep on saying that those districts will not get it if they cannot afford it then we shall have terrible inequalities in the provision of these very important services of education, and I do think that it is about time we looked into the system in the whole country so that if a child in Kiambu or Fort Hall is going to get eight years of education, the child in the Masai area must be able to get eight years of education also, and the child in the Northern Province must also be able to get eight years of education. We must not have children in some areas getting these services and children in others not getting them on the excuse that they have local authorities which are not able to do it. The duty of the Central Government is to come to the aid of those who are not able to provide the necessary services. We want all children to have these facilities and those

areas which cannot afford it through their own financial resources must be given some sort of aid by the Central Government.

As I have said before, Mr. Speaker, the inequalities not only in educational services, but also in other services is going to create one of the dangers when we are trying to create a united and integrated nation, and where we find more services in some areas and in some districts, but not in others. I was almost led to believe, Mr. Speaker, when the hon. Member for Kisii was speaking, that Kisii could almost be called a forgotten land. When I heard the hon. Member saying that Kisii did not have this and that, I said, "Well, it is about time we remembered the forgotten districts and provided them with the aid necessary to catch up so that we can go forward together". This is true in Masai and it is true in the Rift Valley, and it is true in the Northern Frontier District, and also in some parts of the coastal districts, and even in some parts of the Central Province. This must be looked into.

Now, Sir, one thing has been bothering me in this respect, the question of providing eight years of education. I shall be having a word or two to say on that. If this country wishes to behave in an economic manner and if this country wants to be careful with the money it has, Sir, then it appears to me that once the decision is taken to provide seven or eight years of education for children in a given area then it is somewhat illogical to keep on separating these schools, one lot of schools being called primary and the other lot being called intermediate, because if you do that then you have two separate administrations. If there are two separate administrations, then there are two separate principals and two separate clerks, libraries, and so on. It is even a waste of time; it is a waste of money. Once a decision is made that we shall provide seven or eight years of education then we need to combine the primary and the intermediate schools into one school. That will be a saving as far as the administration is concerned; it will save us some money. It is already being done in the schools provided for the other communities and there is, therefore, no reason whatsoever to maintain this separation of the primary and intermediate schools in the same area; we should combine the primary and the intermediate schools and let the child have his education in the same school for the seven or eight years which are necessary. It is good economics, and, Mr. Speaker, I will never forget that I took my course in economics, and I do have to look at the wages the Government spends the money on. I think that must be looked into as soon as possible, because once you make them separate, even if you have some children fall by

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the wayside as they go from primary schools to the intermediate schools, Sir, there will always be that difficulty.

Another thing has arisen of late with regard to the seven or eight years of education being provided for the African areas. I remember going to consult one of the education officers in the Fort Hall area about it. I said, "Now, look, we have been having eight years of education before taking the examination called K.A.P.E. Now, I understand that you will give us seven years. What changes are you going to make in order to take care of this extra year which is lost?" The reply I got was that in the first two years the children go to school only for half a day, stopping at mid-day when they go home, while another set comes to school in the afternoon. If that has happened, Sir, then I must say that we have not been very honest in this country when we have said that we have given them eight years of education. If that education can be given in seven years then it must also be remembered, Mr. Speaker, that while other members of the other communities have the opportunity of providing some experiences for their children in the nursery schools, most of the African children in the rural areas do not have that opportunity, and I think therefore that as we consider providing the eight years of education, or the seven years of education, we should also consider that all the children in the rural areas have this great disadvantage, and that should be considered carefully before we say, "All right." I would say that quite a number of children of hon. Members in this House do get the experience of nursery schools before they start at Standard I, and that whole problem of preliminary education should be looked into as soon as possible.

Now, Sir, I would have liked the Minister to have been present but I am quite happy that the Parliamentary Secretary is present because a speech which was given by one of the officers in the Ministry of Education about three weeks ago did startle quite a number of us, because implicitly the speech indicated that many schools will remain monoracial, and it left us with the feeling that there does not seem to be much urgency within the Ministry to press on quickly with the determination for the integration of schools. The speech was given by Mr. Bromley about three weeks ago and I am glad that it was replied to quite effectively by an officer of the City Council. I do hope that this speech will be explained by the Minister when he comes to reply. If he does not have any copy of that speech I have carefully saved the cutting from the newspaper and I will gladly give it to him,

because it did create a bad impression. I see that the Ministry itself has given up the question of integration and have said that the schools will remain more or less monoracial, which I know is not the policy of this House, and I am sure that it could not be accepted as a policy of this Government. I do think that our officers in the various Ministries must be taught that the Kenya of today is not the Kenya of yesterday. If they have been administering schools along racial lines then it is about time that they were rehabilitated to know that very soon they will be administering schools for Kenya children as such.

I now come to another problem of the type of education to give children, both at the intermediate level and in the high schools. The education they will provide is not really too helpful in enabling these persons to make a living when they leave school. I have found that most employers have to spend another year, or two, to really train the high school graduates or even K.A.P.E. graduates to do a specific job of work. I am a great enthusiast for the vocational type of training being put together with the academic training in the same institutions, for various reasons. One is that in the earlier days those fellows who did not do too well when they were doing their K.A.P.E. were the ones encouraged to go to the technical schools and the feeling developed that only the people who were not very brainy were the ones who studied mechanics or became masons, and so on. It was a very unfortunate tradition to develop and since we must teach some of our people to use their hands and since I know, Mr. Speaker, that it takes just as much brain to be a good mechanic as it takes to be a good clerk—in fact, sometimes you may have to have more brain—and in order to save this country from that bad connotation then we should start now integrating the technical schools with the academic schools in the same administration so that whether you go to the Alliance High School or not you can learn something vocational at the same time. I wear the badge of the Alliance High School, and many of us are proud to wear it, but if vocational training was given at such institutions we would be able to get rid of this very bad connotation. Again, Sir, if we do so, we shall be saving in terms of administration because under the same administration we shall be having both types of education. Thirdly, Mr. Speaker, it will help the students to have a specific scheme to help them make a living as soon as they leave the school and if they are not able to go on with their education. There is no reason, for example, against giving girls in high schools tuition in shorthand and typing. It is about time we were using the ladies as secretaries, Mr. Speaker. We could provide them with

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shorthand and typing tuition and, at the same time they can still learn Shakespeare and Milton, so that if they leave school but do not go to Makerere they can earn a living. We can put a mechanics section in at the Alliance High School and those fellows can learn how to repair cars, so that when they leave school they will have a specific skill, Sir, which they can use. I am concerned, Sir, because many of the graduates from the high schools do not get the opportunity to go to college and then the employer has to spend another year training this person to do a job when he could already be trained to do it. You can add to the programme which they have already and they will still survive. I do think that we must begin integrating the technical education with the academic education. It could be done, Sir, particularly in the African schools, in order to enable the persons who leave the schools to have at least one skill by which they can earn a living. I am always surprised when people come to my office and ask me to employ them. I say, "What kind of work can you do?" They say, "Everything," meaning really they have no professional or vocational qualifications. I ask them whether they can type or take shorthand but the answer is always in the negative. "Are you a mechanic?"—"No, I am not." I then say, "Well, you told me that you could do everything but it meant that you could do nothing." We must safeguard our graduates from the K.A.P.E. schools and from the high schools from being in that rather embarrassing position.

Now, Sir, I did have the honour and pleasure of representing Kenya at the Princeton Conference, although I was not the Minister for Education. It was agreed that one of the major difficulties in the country is the lack of high schools. If you want to expand the Royal College and Makerere you must at the same time expand the facilities available in the secondary schools because there are not enough. I am glad to say that that was one conference where we achieved results. We were able to negotiate about getting extra teachers from the United States, and they have already arrived and will be teaching in the various high schools of East Africa. The number is 150 but the Minister for Education should know that I am like Oliver Twist and ask for more. I do not think that 150 teachers for Kenya, Uganda, Tanganyika and Zanzibar is enough. Considering the problems we have to face, and it is necessary for the Minister for Education to contact the authorities concerned and say that we are very happy to get the 150 teachers for the whole of East Africa but that we need more, instead of simply saying that we are short

of teachers and that therefore we cannot provide the facilities. If there are people willing to come to help us teach then let them come, and not only from the United States but from any country which will offer us good teachers. That should be done.

Speaking of teachers, Sir, I would like to digress a bit and say this. It is expected all over the world that the teachers must always be such saintly and self-sacrificing people, that they are always to be underpaid. They are underpaid everywhere in the world. If we in Kenya want to show that our love of education is only second to our love of independence then we must really show that we want the intelligent and the able and good people to remain in the teaching profession and to be able to do that, Mr. Speaker, not only must be improve our housing, as the hon. Member for Kisumu has very well put it, but, quite frankly, Sir—and I know that if the Minister for Finance were here he would ask me where the money is coming from—we must raise the salaries of teachers by no less than 15 per cent. We have got to do that even if that means reducing the salaries of the permanent secretaries in the Ministry or if it means reducing the salaries of the Ministers themselves. I do feel that we must increase the salaries of the teachers, Sir, by no less than 15 per cent. We have got to do that. In fact, Sir, 15 per cent is not enough. It should go up a little more. I know that we cannot compete with the Shell Company or with the East African Tobacco Company; their salaries are rather high. But we can at least compete with the other parts of the Civil Service and make the teachers' salaries worthy and practicable. I do know the situation, particularly in the rural areas. Whenever we have a collection for anything, say a church or school, the first person looked upon to make a substantial contribution is the local teacher. If there are visitors coming to the place, then the local teacher gives them tea. The demands made on the teacher are considerable, and their remuneration is rather low. We have the situation whereby the teacher has also always to be very clean and where his house has to be a good example of the local houses, but when you look at the cheque you give him, you will realize that you are asking too much. I know that some people will say I am mentioning this because I am a teacher myself. I am a teacher, Mr. Speaker, but I do feel that the teachers are not being paid well at all, and I say that an increase is called for immediately.

The next subject, Mr. Speaker, is the special relationships of our universities with London. We are thankful to the University of London for putting Makerere and the Royal College within

[Dr. Kiiano] this special relationship whereby the degrees given by Makerere are called B.A. (London). When we get a B.A. in Nairobi it will be the same. However, a number of things have happened. For instance, the standard of education at Makerere is now recognized universally. It is recognized in Britain and it is recognized in the United States and I am sure that it is recognized also in Asia. It is no longer a matter of protecting Makerere. Makerere has maintained very high standards of education and I am sure that that position will continue. The Royal College had some difficulties when it was started. When I was a teacher there we did have a lot of difficulties, but now the Royal College will maintain the highest standards which are expected of that college and as it is working with Makerere as a sister institution, Sir, Makerere will be able to give a helping hand if necessary, and the same will happen to the university college in Dar es Salaam, which is going to be set up very soon. If that is the case, then the time has come for the University of East Africa to be established independent of London, because, as I say, the standards have already been recognized. I say this because there are a number of things that Makerere would like to do, and which the university college would like to do, but which they cannot do because such a service is not provided by the University of London. I know that in the Royal College, where economics is taught, they would like to teach economics with a strong emphasis on the practical side, the commercial side. I asked at one time why we did not give the B.Com. at the Royal College. I was told we could not because the University of London did not do that. Well, if we have already maintained good standards then we can now afford to be independent and offer such degrees which are required here, even although they are not required in London. Again, we have had difficulties with the veterinary college, again because it did not quite fit in with the special relationship and so on, and I do feel that we can now establish a University of East Africa and award a B.A. (East Africa) which can be recognized in the academic circles in Switzerland, in Germany, in the United States and in Africa as well. We want to thank the University of London, but I do feel that the time has now come for us to stand on our own feet to that as we reorganize education we can provide those courses which may be necessary, even if they do not come within the terms of reference contemplated by the special relationships with the University of London.

If that is going to be done, Sir, then we must also realize that the three colleges are not going

to be enough within a very short time; we must in consequence improve our high schools quite drastically. If we increase the number of high schools we may soon find that, for example, the Royal College is full and that we should begin thinking in terms of another university college for Kenya in addition to the Royal College. We must think ahead. We must not be caught unprepared. There are several reasons for this. In the first place the Royal College is sited in a very wrong place. It cannot expand very much. It is more or less surrounded on one side by the police station at Kingsway, on the other side by the Norfolk Hotel, and on the other side by the Cultural Centre, and also by the synagogue and the Princess Elizabeth Highway. You can then cross over that to the dormitory centre. If we want to make it a very big university we may have to move it and go to Eastleigh because we have some space there, but since we have already established the college where we have established it, then it is about time we began thinking in terms of the second college. I hope it will be put in a place with a room for expansion, unless the Royal College which is a present surrounded on all sides. I do remember saying to a former governor that the Government House area would be first class for a college since it is removed from the downtown noises, and so on. However, since that cannot be, then I hope that the Eastleigh area, or some other place which is open, will be considered for another college.

Now, Sir, while talking about colleges I would like to pay my tribute to the people who are responsible for establishing the Strathmore College in the St. Austin's area. I was able to take the Minister for Education for a short visit there the other day to show him the very good work being done. It is a non-racial school where four or five students sleep in the same room, and the authorities are not concerned whether the student is a European, an Asian, or an African, because they just put them together. I know they are having some financial difficulties because they do want to build a few more buildings, and I have a feeling that they have already approached the Government for some more aid in the region of £20,000 or so. I would like to recommend that since this has been started with the initiative of a non-Government agency, and since it is such a first-class institution, their request should be given very, very sympathetic consideration. We must always come to the aid of people with such constructive ideas and who are willing to serve the country.

We should always encourage them, and when we are talking about this, Mr. Speaker, and since we will be leaving this House at the end of this

[Dr. Kiiano] week, and since I know of many Motions which have been put down but which will not be debated, I would say that I had put down a Motion about private schools. Since I am afraid that we will not get to it perhaps before the end of the year perhaps you will at least allow me to say a word or two on private and independent schools.

The Ministry is having financial difficulties and so is the Kenya Government. Everybody knows that it is no longer a secret that we were almost broke in this country and people have been wanting to help by increasing the educational facilities available. The hon. Member for Kisii was saying his people wanted to build a secondary school. I have been approached by quite a number of people in Kiambu, in Fort Hall, in Thika, and so on; they want to build schools. I do think, therefore, that the sort of cautious approach which the Government has been adopting on independent schools should now be replaced by positive encouragement being given to the people who wish to establish their own independent schools. They will give the guarantee that they will allow inspection. We have nothing to hide. All we want to do is to be able to build schools and employ our own teachers when Government is unable to do that. There has been so much caution because the former independent schools were accused of being political hotbeds. I say they were accused although I am not able myself to accept that allegation *per se*. I know that if that caution continues you will be in a very peculiar position of not being able to provide enough educational facilities for our people but at the same time not letting the people do it for themselves. This is a country where self-help, as I said before, has been shown in many fields, and in education it must also be shown. I have been impressed by the spirit of self-help shown to us when we were arranging to send African students overseas. We have been able to raise quite a lot of money. I sometimes feel—and I hope that the Minister will correct me if I am wrong—that through this self-help and private enterprise we have sent more people to the universities than the Kenya Government has. Some people do not think we are private enough because I am a Member of this Legislative Council, but if the private citizens can defeat Government in this worthy project of sending people to universities as we have decided to do—when I say “we” I mean the hon. Members of the Legislative Council who have been contributing to the effort in collecting money to send students overseas—and if we have shown such ability in providing our people with university education, then we can also do a very efficient job, Mr. Speaker, on the intermediate

education and high school education, if our hands are not tied by this question of being afraid what will happen.

I remember speaking with some of the officers of the Ministry of Education. They told me that there was something they were afraid of, that we would establish a high school, run it for three or four years, and then say to the Government that there is not enough money to run the school and will the Government give some grants-in-aid. They then said that they would have too many people asking for money and that therefore they were a bit cautious in this matter. I think, Mr. Speaker, that there again we are not being enterprising enough. I started a commercial college which I am now turning over to a non-profit-making organization. I am glad to say that I have got the permission of Dr. Ralph Bunche to name my school after him and to call it the Dr. Ralph Bunche Academy. I have not been running to the Government although I have been running the school for three years. I have not been to the Government for grants-in-aid, and, Sir, since I am now turning it over to a non-profit-making institution, when I run out of money I will just take my passport and go on another world tour, and by the time I come back my pockets will be full, somehow, from somewhere, and this school will then go on. I believe, Sir, that we must utilize the spirit of self-help which there is in this country instead of being so cautious that we just keep on marking time or not utilizing the help that we could get.

Now, Sir, there are two other points I wish to make. I will then let the people go home to have their food. The first is to do with the boards of governors. I am a member of a board of governors. What I would like to know is, when the policy of integration is accepted, Sir, who will have the last word? Are we likely, Mr. Speaker—and I would like to have an answer to my question—is get a board of governors of a racial high school refusing to accept children of other races and therefore make it difficult to have integration, and then people saying that the board of governors has the power to decide? This must be examined so that we do not use the power which has been given to the boards of governors to defeat the policies of the Ministry, and I am afraid that this could be done unless the powers of the boards of governors are looked into. This has worried me rather because I do know that boards of governors have quite a lot of power. As I say, I am a member of a board of governors myself and I know what I am talking about. It should be so laid down that these boards, and the powers they have,

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to not defeat the policy of integration which has been accepted by this House and which is immediately wanted as one of the positive contributions to the building of an integrated, strong, and prosperous nation. When we are worrying about students, Mr. Speaker, we must also remember the others. It was about two and a half or three years ago that the Government of the United States gave us some money to start the adult literacy programme. We even had an American expert to work here. Later, after she left, somehow the problems arose and the scheme withered. The adult literacy scheme, which was started about two years ago, seems to have withered away. Now, Mr. Speaker, it seems as if the scheme must die unless the Americans give us some more money. It was a challenge to the country. It was a challenge that in a very short time we could fight illiteracy and ignorance. It was going on very well. But as soon as this aid stopped somehow the work was neglected. We must again start work on adult literacy. It can be done, Mr. Speaker. It does not cost us much. I think that the original amount of money given by the International Co-operation Administration was very small. A lot of work was done. I knew a lot of young men—I know this because I used to go to the locations—who agreed to come in in the evenings, after work, to teach the other persons, without even asking for any pay. That is why I say that Kenya can be proud of the spirit of self-help which exists. But now that has gone away and I do hope that the Minister will reconsider introducing that in a very vigorous form, not only in the towns. We have a tendency to give everything to Nairobi. It is about time that this was stopped. There are many people outside Nairobi. We must stop that as soon as possible and not just necessarily give these things only to Nairobi. I like Nairobi; I live here myself; but I do hope that we will not keep on forgetting that the majority of people stay outside Nairobi and that they too require the services. We should provide them with some adult literacy education, and for this reason I am looking forward with eagerness to the establishment of the television in this country because again we can use television for adult literacy and also for other types of instruction, whether it be public health or whether it is public finance. The television can be a very useful medium for spreading educational information and I do hope that the Minister for Education will go to the Minister concerned with this question of television and tell him to hurry up, because I do believe that television can be a very important medium. It could contribute to adult education which is badly needed in this country. I do hope

that that will be done as soon as possible and by the Minister concerned.

Now, Sir, on the question of degrees and qualifications, what we must recognize is that we do believe in high standards. There is no question about that. We believe in high standards. However, at the same time we must not be so blind as to fail to recognize that education acquired outside America and outside the Commonwealth is just as useful. I know that Kenya has been a British Colony, and I am glad to say that that state of affairs is coming to an end, and that it will no longer be a colony. At present, Mr. Speaker, whether this Government likes it or not we have students in India, in Pakistan, in Czechoslovakia, in East Germany, and so on. Are we going to say that these graduates will not get commensurate pay for the qualifications they have acquired just because they have been outside the Commonwealth? You must pay a person according to his ability to do the work. The ostrich attitude of this Government should be dropped. The Government has tried to dissuade people from going behind, particularly, the Iron Curtain. But the fact is that they are going, and the Government knows that they are going. It is better to avoid being an ostrich and to face the facts. Students are now studying in Czechoslovakia. When I was in Cairo I came across one fellow who I used to teach myself at the Royal College. He has now taken an engineering degree at the Moscow University. He seems to know his engineering well. The point is that if you keep up this attitude these people will keep on slipping out. Let us make use of all the educational opportunities which are offered. When we send students to America we give them some orientation and tell them what to expect. If they go to Arkansas they must expect segregation, and if they go to Mississippi they must likewise expect to be segregated. We prepare them before they go so that they will know what to expect. In the case of the Eastern countries the Government buries its head in the sand and the students go there without any preparation. What I say is, let us recognize that the students are going to communist countries and let us, as we do when we are sending them to Britain or to America, give them some orientation of what to expect. If we do not do that, Sir, we must recognize that they are going anyway, and it is about time that we faced the facts.

If they have qualifications and those qualifications make them effective employees, let us employ them in accordance with their ability to act instead of saying, "We shall recognize this degree, but we shall not recognize that degree". It is about time we faced these major factors.

[Dr. Klano]

The last point I want to make is in connexion with K.A.P.E. again, because I have been very concerned about it. If, Mr. Speaker, we are going to have integration, we must make sure that the educational systems for the Africans and for the Asians and for the Europeans are more or less similar if not exactly the same. If that is the case we must first of all make sure that a student who has passed the European K.A.P.E.—I do not know what you call it—is exactly of the same educational standard as an African who has passed. At first you can tell because of the difference.

Lastly, at high school level, it must be recognized that Africans of different territories are getting together. They meet all the time, in political conferences, in meetings, and all types of conferences, and I think there is a good case for introducing at least the French language in the high schools. I think it is a good chance to introduce the French language to be taught in the high schools, because as we come across more and more of our brothers in the former French empire and in the former Belgian empire, we do find ourselves in difficulties. I am fortunate enough to know Swahili, so I could speak to people like President Lumumba in Swahili, but the people from the former French areas do not seem to know Swahili, so I think that for international purposes, and also because we shall require diplomats and ambassadors to represent us all over the place; it is about time we introduced in addition to English at least French, if not German. I do think that French should be introduced and that would enable us to Africanize our foreign service. At present I think there are very few persons in Kenya who could speak the French language. When the President of Senegal visited the House, Mr. Speaker, the number of people who were able to carry on a conversation with him were highly limited. I tried some of my old French, and I was not very good either. But at least we must introduce the French language. Perhaps we could make it an elected subject for the students who want to learn, but let the facility be there to help the students.

I think, therefore, Mr. Speaker, we should have a reorganization of our educational system, a thorough re-examination of what is going on. Let us completely abolish any aspects of colour bar in it; let us increase, as I said, the salaries of teachers by 15 per cent at least; let us have the University of East Africa independent of racial relationships; and let us also create comprehensive schools which combine the academic training and vocational training at the high school

level, in order to give our students something to make a living with when they leave school. If we do these things, Mr. Speaker, and also get television to spread our adult education, we shall have made a great step forward. I support.

The Parliamentary Secretary for Agriculture, Animal Husbandry and Water Resources (Mr. Ole Tipa): Mr. Speaker, Sir, I rise to make my comments on the education system. I do not want to take the valuable time of the House. I know that nearly every Member wants to speak on the Education Vote, and I will try to be as brief as possible. Also, I will try to confine myself to my own constituency and the Masai District in general.

Now, Mr. Speaker, it has been said time and time again that it is high time we gave really serious thought and consideration to try to help our less fortunate brothers and sisters in other parts of the country, who through no fault of their own or through no fault of the Government happen to be lagging behind in education. In this respect, Mr. Speaker, I would appeal to the Minister for Education very strongly that if we as a tribe are going to catch up and play our rightful part in the various walks of life of this country, the time is overdue that we had a secondary school in the Nafok District. This, of course, will not only serve the two Masai districts, which are Kajiado and Narok, but it will also serve the Samburu District. I think there is a case here, Mr. Speaker, to justify the establishment of a secondary school at Narok. I think three districts having a secondary school is quite justifiable.

If I may remind the Minister, I do not think the cost of establishing such a school would be very much, because what should be done is only to extend gradually. We have the buildings at the present intermediate school at Narok. His Excellency the Governor saw it during his tour of the district last year, and he was very, very impressed by the standard of the buildings. I can only suggest that what is required now is an extension of one classroom, to start with, with an additional laboratory and possibly two or three staff quarters. Next year, an additional classroom could be put up which eventually will replace the present intermediate school.

Now, Mr. Speaker, another thing is the teacher-training college. It is true that our teachers from our districts who deserve teacher-training usually find places in teacher-training colleges in other districts. I think that it is very essential to have a teacher-training college in the Masai District, because as far as my people

[The Parliamentary Secretary for Agriculture, Animal Husbandry and Water Resources] are concerned, I do not think they can be accused of not taking an interest in going in for the teaching profession. Not at all, because they all know that unless they sacrifice and take teaching as a profession to teach their own people, their own children, the children who will be required to play a very big part in the development of this country, then they, as a tribe, will always remain behind. I am very much encouraged to see that my people have really taken up teaching and they are doing everything possible, even in the remotest parts of the country, where they are completely cut off from modern civilization, and other social amenities which are found in the townships. I am a bit disappointed to see that the actual number of teachers who have undergone training—I mean the trained teachers—in various schools in my own constituency is very, very low indeed. I entirely fail to understand the reasons for this, because if you have a majority of untrained teachers then the students they turn out will not be able to pass the various examinations with the required marks. This will be more or less dropping them down.

The other thing, Mr. Speaker, Sir, is that we can look on a much broader line as far as the education of the Masai is concerned. We have so many difficulties facing us in such areas and especially as we are a pastoral tribe. We have learnt an example, Mr. Speaker, during the present severe drought in the country, the famine and that kind of thing. You find that naturally the Masai are not used to manual labour. Of course, they have been very much affected; they would like to get out of their districts and seek employment. We are in a very serious state of unemployment, and if they even went to the trouble of getting out of their districts, I doubt if they would find employment anywhere because the competition is so high. What are we doing to help these people. They are not used to cultivation; they are a pastoral people. It appears to me that there is a chance to establish a rural training centre and train some of our young men, some of our young *morans* who keep on roaming about the countryside, stealing other people's cattle, and also some of the K.A.P.E. failures, and get down to a good job of training these people to become skilled workers, skilled artisans. Let us train them to use their hands and help them to understand that there is quite a lot they can gain by using their brains, their knowledge, and their hands so that they reap the benefits of their labour.

This, of course, Mr. Speaker, also brings me to training in animal husbandry. We know that

in some intermediate schools in Masai districts they have a herd of cattle providing milk and meat for the children which is a very healthy thing, but I should like to see a man who is really experienced in both the practical and theoretical knowledge of animal husbandry attached to some of our schools, because he could really teach them better methods of improving their livestock, so that when they leave school they can drive home to their parents the benefits which can be derived from using better methods of animal husbandry. I know in certain schools what is going on. The students are taught to milk and how to handle a cow, and at times there is practical work, and they are taking this hard. Naturally a young Masai boy of only eight can know very much of how to handle a cow or how to milk one. He does not need to be taught these things; what he needs is to be taught the modern methods of animal husbandry.

There is another problem here, Mr. Speaker. Most of the schools in the Masai districts are day schools; we have primary day schools, the majority of them, and intermediate day schools. The problem here, as I hope all hon. Members know, is that my people are scattered all over the country. The distances are very, very great and they keep on moving almost daily, following grazing, water for their animals, and things of that nature. Now, when you have only day schools, and taking into consideration that the system of communication, I mean road transport or any other means of transport, is very, very rare indeed in these districts, then we are faced with a difficulty. The parents who take a keen interest, who want to send their children to school, are compelled to establish small villages. Possibly a man with three or four wives sends one of his wives to the village with a few heads of milking cows to look after one child who is compelled to attend the day school. Now, conditions in such villages leave quite a lot to be desired. The discipline, especially with a whole crowd of women without their husbands—I know they can look after themselves, but it makes it difficult because in these remote places there are sometimes lions or leopards which invade the cattle at night. Somehow, they must have people to protect them from these very fierce animals.

Then, of course, the old man who has sent his son or daughter to one of these day schools might have moved his cattle, especially during the drought period, to a place many miles away, sometimes over one hundred miles away. Also, some of the cattle which he selected to feed his young boy which might have been in milk then

[The Parliamentary Secretary for Agriculture, Animal Husbandry and Water Resources] might dry up, or some of them might die. What are these children going to feed on? My suggestion here, Mr. Speaker, is simple. I know how expensive it is to establish a boarding school.

[Mr. Speaker (Mr. Slade) left the Chair]

[Mr. Deputy Speaker (Mr. Nyagah) took the Chair]

I am not asking that all these students should be boarders, not at all. Those who come from nearby, from short distances, should not be boarders at all, but those children who come from afar need a lot of care and a lot of handling. They are not many in number, and I think a single small dormitory with, possibly, an old lady to feed and look after them during the night and teach them a bit of our old decent discipline—you know, we are proud of it—would help.

Now the other problem, as you know, is that the Masai have been faced with quite a lot of difficulties. We are grateful to Government and various other agents which have been very generous to help relieve us during the famine. We have had food supplies, but most of our cattle have died. Of course, like everybody else we are required to pay school fees. Some of the Masai families have lost their entire herds of cattle. They depend entirely on the *posho* supply or milk or dried meat. To ask them to pay school fees for their children is rather asking for something impossible. You ask and you might be told that the African district councils can always use their powers to exempt those children whose parents are unable to pay their school fees, but might I remind the House that even our two African district councils are almost financially broke. The taxpayers have had no means of paying their local African district council rates and, in fact, the African district council is more concerned with survival of the people than trying to put them in prison for not paying the fees. I think here the Government could do a lot of good to subsidize the two African district councils in order to enable these children to continue schooling until conditions improve.

Now, another thing, Mr. Deputy Speaker, Sir, is that I am not the type of a man who asks favours from anybody. I usually believe in fair play, but there comes a time when it comes to the serious question of education. I know I will be shot down on this, I even mentioned it to the Secretary of State for the Colonies when we were in London, and I hope we can follow it up a bit further.

As far as higher education is concerned, I think it is a fact that my people who are taking

advantage of the higher education are very few indeed. We might be told that there are only a very few who reach the academic standards required to qualify them for admittance to some of the colleges. My suggestion to the Government is sometimes that they should be a bit more lenient, especially to a man who has been hit hard. I would suggest very strongly that, for instance, a boy who passes his School Certificate Grade 3 will not get admittance to Makerere or to any other college, and I think it would pay and would help my people if consideration could be given to giving them an extra year to repeat and see if they cannot improve, and pass the examination by the required grade to enable them to go further. If you leave so many people lagging behind while others are miles away, then there will always be a type of war somewhere which will not be to anybody's advantage at all. I think we are looking forward to playing our part in this country as a team of people who are dedicated to raising the standards of our people, and as such I think we ought to do everything possible.

Now, Mr. Deputy Speaker, I would also appeal here very strongly that we need schools in the Masai districts, and I think everything possible should be done; I can see that some of my friends on the other side support me in this. When they talk of unity, I am all for it, but here is a case where those who talk of being proud or helping themselves set an example now. We are hard-hit and held up. We want to expand the education facilities throughout our country and the few dollars you chaps can procure from somewhere, well, give them to me and I will see that my people are educated.

Mr. Ayodo: Mr. Speaker, Sir, I want to start by making certain points clear. One is that our interest in education is an interest in the future of this country. Whatever point or criticisms we might bring forward this evening are not against any organized body or any person; but they are just an attempt on our part to try and contribute towards the building of this nation.

Mr. Speaker, it is understood and accepted that if we want justice in any country, the leaders must be just. We cannot expect to have a strong nation anywhere unless the leaders are strong. We cannot expect to have peace unless the leaders are strong enough to maintain it, and the maintenance of law and order is dependent on good education. So, Mr. Speaker, I want to start by making it quite clear that we in Kenya must work hard now to see that we produce these men who will be just, who will be strong, and who will be able to maintain peace. There is no other way of

[Mr. Ayodo] reaching that standard except by education, and I must here again say that so far we have not had that done well enough.

Mr. Speaker, that brings me to my second point which is a statement on policy, the policy of education in Kenya. Here, I think I should say at once that the important thing we need, or the genuine need in Kenya—I know we require money—but a more important thing is a mere change of attitude. I think that is much more important than money. The little money we have will take us quite far if we could get our attitude towards education changed. Education in Kenya as in all the colonies, has been and still is, colonial. The indigenous people are educated as colonials. Now, this is where the fault lies, and that is where the criticism lies. We want people in Kenya to be educated as nationals and not as colonials. Mr. Speaker, this has been the cause of our backwardness in education because we find, for example, that we have different types of education for different types of people in one country. It is a little surprising to find that in a department like this one, where we are supposed to have the best people, because it is education, people should condone such adjectives as European, African and Asian, when it comes to education. It is most surprising, and here I would like to say that education of all these must be above politics. It must be, because if it is not, then we will stick to this racial attitude which makes it very unfortunate.

Here, I would like to advise African, Asian and European parents that they might think that by trying to keep a school African, Asian or European, they are protecting their children. Mr. Speaker, that is ignorance; they are not protecting those children. I think that it is our duty as a Government and as a people to see that we prepare all children for life in this country, in Kenya, in the world. It is common knowledge that in the world today it is unfortunate for anybody to think along racial lines, because they just do not apply now. Even in Kenya now it is out of date to think along racial lines. The world, as has been said many times, is coming together, so that all people are beginning to be interested in now is ability. Who is going to do the job? That is the thing which should concern us, and not what is his colour, what is his height and what is his weight. Those are immaterial, Mr. Speaker. The way we have been brought up in Kenya, the way the educational policy has been framed, is such as to make us incapable of coping with the problems which now face us. That is why I started, Mr. Speaker, by saying that what

we need is not so much money as a change of attitude.

I would like to make a small suggestion, just a small one. I think that between the House rising and when we come back in September or October, the Ministry should engage itself in doing some useful work in Gill House, getting rid of those adjectives and just saying the Minister for Education or primary education or this and that, so that when we come back we notice a small change. That will do us some good. I do not think we need much money, Mr. Speaker; we just need to change those boards and erase the adjectives "Asian", "African" and "European". I think we must do something.

I want to say something about teacher training. As I have said, we must see that from now on we tackle the problem of education with a spirit which will push us through and enable us to meet the challenge. I think the best place to start is with the teachers. I would like to suggest here that deliberate efforts should be made to make the teachers realize that their work is that of building a nation. I hasten to point out that that is not making education political, which I have said should not happen. However, the teachers should be made to realize that they are builders of a nation, that their prime duty is to prepare children and students in general for life in a particular world. This is very necessary. Mr. Speaker, especially in the schools which we still call African schools. I am speaking from experience because I am a teacher; I was taught in African schools; I have taught in African schools. It is quite true that the work there is not done properly because a teacher in an African school is not allowed to make the meaning of what he teaches clear to the students. The minute you start making this realistic, the minute you start talking to students and telling them that the language they are giving you is for national service, for contact with other people, the minute you start talking about arithmetic in terms of commerce and industry and business, the minute you start teaching self-respect, character, courage, and so on, that very minute you are subversive. There I cannot help speaking with considerable feeling, because I think it is the most harmful thing which can happen in any country anywhere.

The Leader of Government Business and Minister for Education (Mr. Ngala): Very bad teacher.

Mr. Ayodo: I am also surprised to hear the Minister comment "A very bad teacher", because under the colonial system that is an extremely bad teacher and that is the thing we want to change.

[Mr. Ayodo] In Kenya now a teacher who teaches that way is bad, but we have schools for white children here, we have people here who have been educated in Britain, and in the outside world, and they know what I am saying makes sense. I do not mean to hurt anybody; I just want Kenya to be a good country and that is all.

Mr. Speaker, I am still thinking of teacher training. I think that in the teacher training centres we could start by changing the syllabus a little and introducing a subject which could be called, well you could give it any name, but something which would prepare teachers, which could be called education for self-government. It would be something to prepare teachers so that they know that when they go out they are going to prepare people who must see that democracy succeeds in Kenya, or something of the sort. Education for democracy, education for something of the sort, so that it is made clear to the teachers and the students and the country that that that is our aim.

The Leader of Government Business and Minister for Education (Mr. Ngala): Civics.

Mr. Ayodo: Yes, call it civics. We do not only want to tell the names of Legislative Council Members to our students or about the names of chiefs in locations. That is the civics we are taught at the moment. We want meaningful civics; we want the boys to know how we work here, for example, because at the moment if a Legislative Council Member is invited to a school or if you want to speak to boys about how we work here, leave alone KANU/KADU conflicts, just tell them about how Legislative Council works, that is viewed with a lot of suspicion. We must make an effort so that such talks are given to teachers, such talks are given to students, so that they grow up knowing what life is, what it means, and what they must do after school.

Mr. Speaker, I now want to say something about conditions for teachers, conditions and the teachers' work. The way our teachers are treated cannot be interpreted in any way but that someone is trying to make teaching distasteful and, perhaps, to make it difficult for certain people to get good men. I know teachers generally throughout the world do not get such good salaries as people in other departments. That is generally true. But our problem in Kenya is slightly different, because here when we talk about teachers' conditions we are not thinking about teachers generally. We have got African teachers who work under very difficult conditions. Those teachers who work in European schools or who happen to be white may be getting

low salaries when compared with the Europeans working in the other departments, but these teachers, for example, get good houses. They may be getting good, free medical treatment, things like pensions, and so on. These are the things we are asking for for the African teachers. Get them houses, even if the salaries are low. Get them decent houses, water, lavatories and so on. Get them decent conditions. When a teacher is running an intermediate school, for example, Mr. Speaker—in the past when I was attending the intermediate school we had a European, a white headmaster. Then this European headmaster had a night watchman paid by the Government to look after the property. This white headmaster had a postman, paid by the Government. This white headmaster had a school clerk, but as soon as the change comes you find these African headmasters running very big schools. They do not have a postman; they do not have night watchmen. Money is spent to buy property, offices, books, but there is nobody to look after the things at night, and these teachers are forced to use children. Here, I must object, very strongly as a parent, because I do not want my child to miss sleep because he is guarding school property when we have a Government which can do that. Mr. Speaker, even if there is no money, please, do not let the children be the watchmen. It is not fair; it is cruel; it is blind.

The Parliamentary Secretary for Education (Mr. arap Moi): Is that not ten years ago?

Mr. Ayodo: It sounds like ten years ago, and that is why I am surprised, Mr. Parliamentary Secretary.

The Parliamentary Secretary for Education (Mr. arap Moi): Things have changed now.

Mr. Ayodo: Mr. Speaker, I now want to go on to the children at school. Here I will have a lot to say in sympathy with the Member for Narok, the hon. Mr. Tipsis. I quite agree with him that our children who go to these day schools, day intermediate schools and day secondary schools, suffer a great deal. I could not do better here than appeal to the emotions of the parents who are here, and perhaps find out how they feel about these children who are forced or bound to travel distances to some intermediate school; and when they cannot make the distances daily they look for some remote relatives or some friends to live with. Then, Mr. Speaker, these children go in the morning right up to four or five in the evening. They go without lunch. The teachers as usual must expect them to be obedient; physical training is there; a little agriculture here and there, and, of course, they must be smart. I just

[Mr. Ayodo] want to put it to the Government and to the parents who are here, how it is possible for us to expect these children to grow up normally if they cannot even get *uji* for lunch. They cannot even get tea or a glass of milk for lunch or anything to eat. Now this is very difficult. I know you cannot believe it because you do not go out to see these things. You stay in Nairobi; how can you expect to see these things? I am speaking from experience. I can give you names of schools. The reports I am giving the House now were actually given to me by boys only last week when I called at an intermediate school. Another thing these boys complained about was, for example, the need for water. Schools are built by the district education boards and rural education boards, but they forget the most necessary requirement: a tank of water. It would not cost much more than just a few shillings. Why not put a tank there so that the boys can get a glass of water some time during the day. They cannot get one and I do not know how they get along in Masailand where it is so dry.

Mr. Speaker, those are small points, but I must say they matter very much indeed, and they would cost us very little if only we decided to be a little more thoughtful.

Mr. Speaker, I have a complaint. Now, this is local. I would like the Minister to say something specific about it. I know some of my friends may be guessing as to what this is going to be. It is going to be something new. There is an area in South Nyanza where lightning has become very troublesome. In two cases, lightning has struck school buildings, and in one school I think two children were killed and quite a number injured. Now this area is notorious for those incidents. I am asking the Ministry to see if those simple lightning conductors could be put in the schools in that particular area. It is true that we suffer and the parents complain about that incident.

The Parliamentary Secretary for Education (Mr. arap Moi): It is not our fault.

Mr. Ayodo: I know it is not your fault, but you are there to correct faults.

Mr. Speaker, I want to say something to help the Government, and this is perhaps by way of criticizing some of the attitudes of my friend, the Member for Narok. I can imagine how the children in Masailand suffer when they do not have boarding schools or communications, but here I would like to support the Government by saying that it is going to very difficult for the Government to help these students if these areas

must remain closed, because communication implies free movement. There I think we would be doing wonderful work in helping the Government to see that we do not fight for the areas to be closed. Keeping the areas closed is the very opposite of what my hon. friend, the Member, was asking the Government to do. The Government cannot help if the areas must remain closed. It is going to be extremely difficult; they may do it but it is going to be extremely difficult.

Mr. Speaker, the last point I would like to make about children at school is this: that I think that something more specialized, perhaps, should be introduced in our schools. I am thinking of a system of giving advice to the students especially at higher levels. I know that in certain schools they have the idea of having house-masters who are supposed to be like fathers and mothers to the children in the particular houses, but because of the heavy class work, and so on, these teachers are not able to do enough for the children at the moment. Here I would suggest to the Ministry that it could start thinking along the lines of giving specialized advice or having special people whose responsibility it would be to try and help the children in adjusting themselves to certain conditions and trying to understand the children a little better than we do at the moment.

Mr. Speaker, I come to the schools themselves. I believe that the time has come now when we should be thinking of having schools which would train children for certain jobs or try to look in children for particular abilities, because so far it has just been mass production of people. We have not paid particular attention or said, "So-and-so is likely to be a brilliant engineer later on," and therefore we have never given him the opportunity to become one. "So-and-so is likely to be a very good policeman later on, and therefore let us help him." I think in our schools we should start thinking along those lines now.

Mr. Speaker, with regard to technical schools, we are glad that the Government is already doing something, but would like to say that much more needs to be done, because in all these young countries technical education and technical knowledge is very important. I think that money spent now on technical education, in building technical schools, will be money well spent for this country. I would like to strengthen the point made by the hon. Member for Kisii when he mentioned Mweiga Mission School in South Nyanza. Here we have an example of a private body, a Catholic mission, trying to do something

[Mr. Ayodo] taking the initiative, training children from all over Nyanza in some of the elementary arts which could make them useful citizens after their completion of the course.

Here, Mr. Speaker, I would like to urge the Government to help such people, such bodies, to achieve their ends, because after all it is not going to be the bodies which benefit but us, the country, which is going to benefit.

Mr. Speaker, when it comes to secondary schools, we would like to urge the Government not to confine secondary schools or to limit them to certain areas alone. I would like to see, for example, in the new secondary school which the Government has graciously agreed to build at Homa Bay boys from the Coast Province learning at that school, boys from Masailand, Kikuyuland, the Northern Frontier District, because after all these secondary schools are bound to produce leaders for us. I think it is going to be tragic if these boys are going to leave the centres or the schools knowing only about their district and understanding only the people in their various districts.

[Mr. Deputy Speaker (Mr. Nyagah) left the Chair]

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

So, I think that much as I would like more opportunity to be given, priority to be given to students of the particular area, I do not think we should close the door on students who may want to come in from outside the district. That will only encourage understanding and unity in our country.

Mr. Speaker, regarding the higher school certificate schools, I think it is useful for us to bear in mind the fact that unless we pay particular attention to standards in these higher school certificate centres we may not get enough graduates in future, or in the near future, because when they go to Makerere after one or two years in these higher school certificate centres they are likely to find standards there are very high. In the past when a student has completed higher school certificate work and has gone to Makerere he has had a wonderful opportunity, a good library, good contacts, and so on. When these boys have to do those two years at Kakamega, for example, where there is no decent library, where there is no good laboratory, where the teachers are not very highly qualified, Mr. Speaker, those students are likely to suffer and find the work is difficult when they go to Makerere. So I would suggest that we should try to put in money so that we have good libraries,

something like college libraries, and good laboratories in the higher school certificate centres.

I now want to come to boards of governors. Mr. Speaker, here I must congratulate the Government or the Ministry for their sympathetic understanding of the need to have these boards altered. I believe that, at the moment, these boards are not serving the proper purpose they are meant for. The hon. Member for Kisii said something, for example, about the district commissioners being made chairmen of boards which look after African schools. I know district commissioners are decent people and have got character, knowledge, and so on, but we want to make it clear now, Mr. Speaker, that to us district commissioners and provincial commissioners are symbols of colonialism. This is a fact and we wish to make it clear, because so far to us they are people who are there to see that you keep your place, and when a mistake is made there are *askaris*, and so on. That is how we regard district commissioners.

The Parliamentary Secretary for Education (Mr. arap Moi): What about Chiefs and Headmen?

Mr. Ayodo: The same class. The colour, the name, does not matter at all. They are working or serving the same policy.

Now, Mr. Speaker, this set-up is unfortunate. Here we would like to have an explanation from the Minister as to why it should be necessary for the Department of Education to ally itself with the administration when it comes to African schools. We want to understand. It is just a question of understanding, Sir, because I am sure that the Ministry has got enough men who can chair these boards.

Another thing, Sir, is the composition of the boards. We have good men on the boards. But at the moment they are people who are elected in such a way that they must agree with the district commissioners. They are men who are strictly controlled by the district commissioners, just whose positions we have already questioned. Just to make it clear that I am not against any district commissioners as such, or against anybody, as such, I want to illustrate what I mean. District commissioners are administrators and as such they are proud to have a certain type of mentality. I am now not talking about colonialism. I just want to talk about the district commissioners as people. Just as teachers are bound to have a certain type of mentality, Sir, so policemen and clerks are bound to think in a certain way. When we make the people on these boards under the district commissioners and then something goes

[Mr. Ayodo]

wrong, say an ordinary case of indiscipline, the district commissioner will see it as a district commissioner and not as an educator. This is the important point. When a boy is rude in a school to a district commissioner, especially in an African school, that is a future politician, a future trouble-maker, and he is treated in exactly the same way as a politician would be treated in Kenya, not as a student. I want to make this point very clear because I am speaking from experience. If the Minister likes I can be asked to substantiate. If we make educators the chairmen of these boards then, when there is a case of indiscipline, the educators will treat the problem as such and perhaps give the punishment in the normal way as an educator would do it. A district commissioner is likely to react in a very bad way, in a very harmful way to the students and to the country. That is why we humbly put it to the Minister that these boards should be reorganized at once. I would not ask for the abolition of the boards. I think it is a wonderful idea. The boards should not be abolished. They are good. But they are not good now, although they can be good.

Next, Mr. Speaker, I want to say something about the rights of parents to be represented on these boards, and here, as I say, I must congratulate the Minister for agreeing to have parents represented on these boards. But I would like to add that since we know that children cannot do well and succeed at school unless the teacher knows how the children live at home, it is difficult for him to help the children. It is difficult to discipline the children unless the teacher knows the parents and gets the co-operation of the parents. This is understood. Mr. Speaker, in order to make the work easy for the teachers, and in order to help our children more, I am suggesting to the Minister that where parents have shown enough interest in the education of their children the Government should give them as much help and as much encouragement as possible, because I believe strongly that it is the duty of the Government to see that the parents are made able to help in disciplining the children and in seeing to it that the children do well at school.

Mr. Speaker, I now wish to speak about localization. I would like to start by saying something in order to know about something that has baffled us for a very long time. As I have said previously, it is in the Department of Education that we find perhaps the largest number of the best educated people in this country or anywhere, and yet in Kenya that is where promotion

is most difficult to get. Mr. Speaker, we would like to know why it is that way, because in the Administration it is easy for a person to rise very quickly, and in the Police Department, it is easy and possible for people to rise. But in the Department of Education, where we have the greatest number of well-educated people the promotion is very difficult. Here I would like to mention one instance. If I am wrong I will be prepared to have my statements corrected. I know of a certain African in the Ministry of Education or in the Department of Education. I think that he was one of the first Africans to have been the head of an intermediate school. Ambira Intermediate School in Nyanza. This man was educated at Makerere and he has got a diploma in education which he obtained at Makerere. After working for a short time he went to the United Kingdom for a year, I think it was, and I should say that he is now a well-educated man. His work is good. He has all the integrity, and so on, which anybody could require. It is surprising, Mr. Speaker, that only this year, or perhaps very late last year, this man was promoted from the grade of assistant education officer to education officer. We find it very difficult to understand such things. If he had been lucky enough to have had a slightly lighter colour, then I think he would have been at the head office here in Nairobi. I am convinced that he would have got somewhere high up because I have known quite ordinary people in the Department of Education rise quite steadily, perhaps, because of their colour.

Here I must say something complimentary about the Provincial Education Officer in Nyanza because I think he is giving the country a very good lead at the moment. He has recently got quite a number of Africans in the Department of Education promoted to higher grades, but I would like to urge that much more should be done, and if employment in the Civil Service departments is dependent upon ability, qualifications, and so on, then let us have a demonstration of the true belief in that by seeing that something is done in the Ministry of Education at least, because it is there that we have the best people in the largest numbers.

The Parliamentary Secretary for Education (Mr. Macleod): Mr. Speaker, I would like to congratulate the hon. Members for the contribution they have made in this policy debate on education because I believe that the spirit in which these Education Estimates have been approached by hon. Members on both sides of the House augurs well for the future of education in this country.

[The Parliamentary Secretary for Education]

My friend, the hon. Member for South Nyanza says that education should be above politics. I could not agree with him more, Mr. Speaker. If we drag education down into the arena of politics then the only sufferers in the long term will be our children, the children of Kenya.

Now, Sir, education—and particularly what has been said by hon. Members in this House on education during the course of the debate so far—presents obviously to us a whole host of problems. Some of them are economic but the vast majority of them are human problems, and it is in this spirit that I think we must examine what the Government has been able to do in this Budget, in these Estimates, for education.

Mr. Speaker, Sir, at a time when the country is very short indeed of money, we have been able to a large extent to keep the expansion in education going. I do not think my hon. friend the Minister, nor any of my hon. friends on this side of the House, would claim that all is right in the education world. I believe, Sir, that there are many things which are wrong and which require putting right. To take only one example, we are moving towards independence in this country very quickly. Some of the more reactionary people in the country might say that politically we in Kenya are being pressure-cooked. The hard fact is that you cannot pressure-cook education. You can reduce the time between now and independence according to taste, what you cannot do is to reduce the time that it takes to produce a graduate. My hon. friends opposite talk about independence this year. I am not going to say that they are either right or wrong, but to produce a doctor, were he to go tonight on the aircraft, he cannot be back here before independence plus five years. I feel that we must keep this firmly in our minds when we are talking about the problems of education, particularly the problem of overseas education.

Now, Sir, listening to hon. Members who have spoken so far in this debate—and I will, if I may, deal with the points which they have made later in my speech—they have done their job as constituency Members admirably. I was keeping a running total, for instance, when my hon. friend the Member for Kisumu was speaking. His bill alone comes, for capital expenditure, let alone the recurrent, to just over £250,000 for Kisumu District. Now, Sir, we have 53 constituency Members in this House. Much as I would like, and, I am sure, as much as the hon. Minister would like, to be able to meet the shopping list of hon. Members when it comes to secondary schools, teacher training, more facilities for rural education of all sorts,

and more particularly bursaries for overseas studies, we have just not got money of the terms of £250,000 time 53. As I said, Sir, not being a school teacher I will leave it to my hon. friends to work the answer to that sum out for themselves. This is purely on capital expenditure.

Now, Sir, I do not believe that as far as the educational needs of Kenya are concerned we must be too parochial about them. I think the broad needs of the country are clear. We must, moving towards independence as we are, concentrate much more on the fullest possible use of the funds which are available. I think that in the past there has been a tendency for graduates who already have a degree to proceed overseas in order to get another degree. For the individual graduate this is fine. For the country in this stage of its development it is a luxury which we cannot afford. We must have people if our localization programme is going to be meaningful at all. This does not mean that we want one man with fifteen degrees; what we want is fifteen men with one good degree each. Sir, I believe that we must try to spend our money economically, particularly in these days of financial stringency.

Now, Sir, that there is a great need in the context of what I have just said for much closer liaison and planning between the funds available for our education and the needs of the country, more particularly the needs of our localization programme. We can, as I have said before, Sir, produce independence to taste, within limits. We cannot produce graduates and therefore we must spend our money with the minimum of wastage.

But money is not our only problem, Sir. In addition to the desperate shortage of money we are faced, as indeed are many other countries in the world, with a desperate shortage of teachers in the higher grades. Indeed, Sir, bearing in mind that money is very short, we are virtually at the stage in Kenya when it is easier to find money than it is to find teachers, particularly when it comes to the higher school certificate and the type of education here locally on which our graduate future must be built.

Before I move off the question of money, Sir, and of shopping lists, it might interest hon. Members to know that the single stream day secondary schools for which every hon. Member has put in his bid, Sir, I am not exaggerating when I say that outside this Chamber I have been asked for twenty-three in specific places in the Colony. The cost of one is approximately £30,000 capital expenditure. I am sorry if I appear to dampen the enthusiasm of hon. Members when they are only doing their job as constituency Members in

[The Parliamentary Secretary for Education] pressing for things for their own districts but I feel that perhaps, not having any axe to grind about education, I may be allowed to try to put into financial perspective what the needs of the country really are.

Before I move on to deal in detail with some of the points made by hon. Members, I would like to mention one point over which some hon. Members seem to be in doubt and indeed about which some hon. Members seek to be in a state of frustration. This is the question, Sir, of overseas bursaries from public funds. I have no doubt that most hon. Members in this House, particularly the constituency Members, Sir, have a continuing stream of aspiring constituents who wish to get help from the Ministry of Education in order to go in study quite legitimately, many of them with the correct qualifications, overseas. I would point out, Sir, that as far as the bursary funds at the disposal of the Ministry are concerned, they are virtually committed a year ahead. They have to be. The reason for this does not lie with our Ministry at all. It lies, Sir, with the desperate shortage of places in the universities, for instance in the United Kingdom, where their acceptance lists are drawn up 13 months ahead. In other words, we are now at July, 1961. By 30th September, this year, the universities in the United Kingdom will be closing their general acceptance list for October, 1962. Hon. Members can therefore save themselves some frustration and certainly assist the Department of Education and the Ministry of Education if they will try to persuade the people who come to ask for help if they would do so in good time and not be disappointed when we cannot at the drop of a hat get them into any university which they desire.

Now, Sir, I would like just to go back if I may a little bit in order to clarify a point which I made earlier on. I did say that I believed that we should pay much more attention to how our money is spent, particularly in terms of bursaries for people going overseas. I am not advocating out and out manpower direction but I do believe that where public funds are involved we on this side of the House have a duty to everybody who is a taxpayer to see that their money is not misused, to see that the best possible use of that money is made.

Now, Sir, if I may move on and deal with some of the points which hon. Members have made, some of them, Sir, with respect, have been slightly overlapping, I would not use the word "repetitive", and it seems to be generally the feeling of hon. Members on both sides of the House that we should do away with the C.C.A. examination.

Now, Sir, we are making great strides in the Ministry towards the provision of a full seven-year course. But I do want to try to make it clear to hon. Members that the mere doing away with the examination provides no more school places. The only way in which one can get away from the necessity of having this examination is to remove the small number of places that are available. My friend the hon. Member for Embu did in his speech ask the Minister to force the Embu and Meru African District Councils to move forward to a full seven-year course. I would not, Sir, say that we have forced them, but we have given them permission to move ahead to a seven-year course in those areas. In 1962 hon. Members will be glad to hear that the whole of Central Province will have permission to move forward to a seven-year course. In other areas of the country we are doing fairly well. I say "we" but it is largely the people themselves. In Nairobi there is no longer any examination. Before the rest of Central Province reached the stage at which they are now, Sir, Nyeri had managed to go ahead on their own bat, Kwale and Mombasa, Sir, refused nobody who sat the examination last year a place in the intermediate schools, and in Nyanza Province great progress has been made.

An hon. Member: What about the Southern Province? We are anxious!

The Parliamentary Secretary for Education (Mr. Macleod): As far as the Southern Province is concerned, Sir, the hon. Member says that he is anxious. So are we. The trouble in Southern Province is that there are two virtually broke African district councils there. I am not saying that it is the fault of the Southern Province at all. They have had hard years. They have had a difficult time as far as famine is concerned. But, Sir, I wonder if the hon. Member himself is entirely satisfied that the maximum amount of taxes are being paid to the African district councils of which their education depends.

An hon. Member: They will be paid!

The Parliamentary Secretary for Education (Mr. Macleod): The hon. Member says, Sir, that they will be paid. This is not the information which we have from his African district council. Perhaps he had better liaise with them! However, Sir, I do not wish to enter into an acrimonious argument with the hon. Member because for obvious reasons I do not think it is necessary to be acrimonious about other people's misfortunes.

Now, Sir, while I am on the question of the provision of a seven-year course, I think I must issue a warning to this House about the burden

[The Parliamentary Secretary for Education] which moving to seven-year education in the African areas does throw upon the teaching staff. Nyeri, as I have said, Sir, did move forward to accepting 100 per cent from primary into intermediate, but it was at some cost to the teachers. When you have to provide all the money you can for classrooms the teachers' housing tends to suffer; teachers' sanitary accommodation and general amenities for teachers appear to be the first things to be cut by African district councils in this way.

I do believe, Sir, that hon. Members have a tremendous amount of right on their side when they talk about conditions of service for teachers not being all that is desirable. I believe that if we are going to retain in the teaching profession men of the calibre we require, and, if I may say so, Sir, without offence, men of the calibre who are sitting listening to me tonight, we have got to popularize the teaching profession. I believe that as localization generally in the country goes forward the teaching profession will be the hardest hit as far as recruits are concerned. I believe that we may lose many of our best teachers into other lucrative forms of employment.

The hon. Member for Fort Hall, Dr. Kiáno, has said that there are many people teaching who are underpaid. I agree with him entirely. I do not however think that it is possible to equate directly teachers' salaries with those of the Civil Service. I think that this is one of the problems which may become clearer when the Report of the Lawrence Commission is available to Government.

Now, Sir, my hon. friend the Member for Nakuru Town, asked what we were doing about day secondary schools. I have already given the House the rough cost of a day secondary school and we are pressing on as much as we can with day secondary schools because they are the cheapest form of buildings. They are the cheapest form of providing education on the ground.

However, there are some areas, Sir, in which the provision of day secondary schools is, if I may be forgiven the word, not on. One, I think, was mentioned by my hon. friend, the Parliamentary Secretary to the Ministry of Agriculture. A day school in that part of the world is difficult. The ideal would be to have a boarding school as far as Masailand is concerned, but I have no doubt that much can be done under the self-help which my hon. friend, the Member for Fort Hall, talks about—under the self-help schemes by African district council hostels in these areas.

Now, Sir, there are many problems, apart from those of keeping teachers in teaching and the impact of localization on education, the impact

of constitutional changes in Central Government and the impact of constitutional changes in local government which will affect, and most affect, our educational thinking and planning for the future, and it is just these problems and the solution to them which my hon. friend, the Minister, intends should be the subject of this inquiry when it is held.

My hon. friend, the Member for Kisii, stressed the desirability, or mentioned the desirability at any rate, of having language instruction, foreign language instruction, in secondary schools. Sir, this might well be desirable. The main difficulty again is the difficulty of trained staff. Our real problem, Sir, in staffing schools comes at the secondary level when specialists are required. There is a world-wide shortage of mathematics teachers; there is a world-wide shortage of science teachers, and I am afraid to say the same thing as far as European language teachers is concerned.

My hon. friend, the Member for Fort Hall, Dr. Kiáno, mentioned many points. Most of them, Sir, I think, will be dealt with under the inquiry into all aspects of education which he and my hon. friend, the Minister, desire. I was, therefore, Sir, slightly surprised when he constituted himself into a one-man report of inquiry and suggested an immediate percentage raise for school teachers as far as salary is concerned. I have every sympathy with him, but I do suggest that we have just had the Lawrence Commission out on the whole subject of the unified teaching service and I think that they may also have one or two things to say on this. Now, Sir, the other point which he made, with which I find myself at some variance, although no doubt he made the point with the best possible motives, was the question of the siting of another university college for Kenya in Nairobi. He seems, Sir, to give the impression to the House that it would be necessary for the buildings all to be together for them to be of any academic value. Now, Sir, with my technical education behind me, I hate to challenge a man with a doctorate degree on this sort of thing. I think if he goes to many countries in the world that it is not where the buildings are or how old they are that matters, it is the standard of education which is provided that matters, and therefore I do not think that it is a prerequisite to a university college to have necessarily the highest possible standard of building in its own campus, and, in passing, Sir, I would remind him that his friend, the hon. Member for Kajado, has already got a lien on Government House, I believe, as a maternity home. Now, Sir, my hon. friend, the Member for

[The Parliamentary Secretary for Education] Fort Hall, also mentioned the question of self-help and rather attacked the Minister, or the Ministry, on the question of what we would do as far as self-help is concerned and what we would allow as far as schools are concerned. He gave a thumb-nail sketch of a conversation which he had had in the Ministry, suggesting that we were cautious in allowing these schools to go forward because we felt that we would have to carry the financial burden after a year or two should they ask for aid. Now, Sir, with the greatest of respect to him, he only gave half the picture. What we are really worried about in the Ministry is not the fact that we shall be asked for aid so much as the fact that we shall not have the aid to give, and what may well happen is, as indeed it has happened in the past, Sir, the managers of the private schools come to us and say, "If you cannot provide the money, we will close the schools." Now, Sir, educational planning is a very involved business. I think if one is going at intervals to be held by blackmail in that way, the only people who suffer are the children in the schools, not the school managers, and therefore, Sir, I did just want to make that point so that we have a rounded picture of what is going on. While I am still on the question of self-help, Sir, the hon. Member did mention the fine record of non-official bodies as far as overseas students was concerned. I am certain he would be the first person, Sir, to deplore the fact that in some cases, political capital may have been made from these efforts and, in some cases, there are still large sums of money outstanding. I think most hon. Members know, Sir, that one African district council at least is still owed £3,000 as a result of so-called self-help schemes for taking students by quick methods of locomotion to other parts of the world. This, Sir, is not self-help; it is helping yourself, and I am certain, Sir, that the hon. Member would be the first person to condemn this.

Now, Sir, my hon. friend, the Member for South Nyanza, asked that during the recess we should have the painters in the Ministry and remove the racial discrimination that exists. We have, Sir, in the Ministry an assistant director, primary, an assistant director, secondary, an assistant director of technical and trade education, and we also have an assistant secretary, higher education—no mention of race at all. In fact, Sir, I think we have already exceeded the hon. Member's hopes, because not only does my name not appear on a door anywhere, Sir, but I do not even appear in the estimates. However, I have more faith in the Government than my hon. friends' optate.

An hon. Member: (Inaudible.)

The Parliamentary Secretary for Education (Mr. Macleod): I am equally happy about that one. Now, Sir, if I may continue—

An hon. Member: Do not take up all the time.

The Parliamentary Secretary for Education (Mr. Macleod): Mr. Speaker, Sir, the hon. Member says, "do not take up all the time". I thought it was at their request that we were discussing this subject at all. If he does not want to know the answers, Sir, I suggest that the remedy lies with his own representatives on the Sessional Committee. The hon. Member for Nairobi Central, Mr. Shah, when he was speaking, deplored the necessity for putting up school fees, although I can challenge the necessity for putting up school fees, and said that the net result would be that many children would not be educated. Now, Sir, I would say that there is provision, as I am certain the hon. Member knows, for remissions of fees to be made in cases of hardship, so that I think he was rather overdrawing the picture there. He also mentioned the question of integration in schools and suggested that school integration should go on from primary level. I would suggest, Sir, that this is one of the very things which the inquiry will advise us on. A similar line was followed in Tanganyika education, Sir, with, I believe, excellent results. He also raised the specific point, Sir, on the question of the staffing side of Asian schools and alleged that allegations had been made—he did not make them, he merely drew them to the attention of the House, Sir—that promotion prospects of teachers in Asian schools were not so good and that sometimes there were cases of unfair treatment. He did mention, Sir, specifically the case of a vice-principal of Ngara Road, who was not promoted to principal last time there was a vacancy. Now, Sir, the headship of that particular school is not a post involving promotion in the sense that it carries with it an increase of salary. All genuine promotion posts, as I am certain the hon. Member is aware, are filled on the advice of the Civil Service Commission.

The hon. Member also, Sir, advocated the abolition of racial preliminary examinations and suggested their replacement by one examination. He may, Sir, I think not be quite up to date on this one. The fact of the matter is that the Kenya preliminary is very nearly now a common examination. In certain subjects, like arithmetic, the papers for whatever racial group are the same; in other subjects alternative papers are provided in order to cope with the differing

[The Parliamentary Secretary for Education] syllabuses that there are. For instance, an English paper should, I think, differ slightly between the candidate to whom English is his mother tongue and the candidate who has had to learn his English as a foreign language. The hon. Member also mentioned the fact that we should draw up a complete plan and then put the plan to UNESCO. Well, Sir, at the speed with which things move in this country, both politically and educationally, as far as the planning side is concerned if we were to wait until we had got a complete plan of what the country needs, I wonder, Sir, how long this plan would be valid in terms of time.

My hon. friend, the Member for Embu, also raised a certain number of points, the most important one of which, I think, was that he questioned the width of the inquiry. He suggested that what we really needed were outside experts to advise us on our educational problems as far as the inquiry was concerned. I do feel that what we are basically facing at this time in education in Kenya, Sir, is not so much a problem of education in isolation; it is a problem of the relationship of education and the gearing of education to the needs of the country and the needs of the people. Therefore, Sir, many of the problems to which I hope this inquiry will provide the answer are problems which require a detailed background knowledge of Kenya on the part of the people who will be taking part in the inquiry. Apart from that, Sir, I do believe too that we have many eminent people in the educational world in this country who are perfectly capable of relating the problems and getting out a co-ordinated plan. I do not, of course, Sir, rule out the possibility at a later date on specific aspects of the plan of taking the advice of overseas experts. The hon. Member also advocated a hostel for the Polytechnic and I am happy to be able to tell him that we are already seeking outside assistance for this project and plans are in preparation now; the estimated scheme, Sir, if the hon. Member is interested, will be in the order of £100,000. The hon. Member, Sir, was not present when I explained to him that permission had been given for his own district and that of his neighbouring district to go forward to full seven-year education.

The hon. Member also laid stress on teacher training. I believe that our teacher training system in Kenya, by and large, is not a bad system at all. The hon. Member suggested, Sir, that we should adopt a sort of territorial army system, a week-end soldiering system I would like

to call it, in line with practice in the Sudan, that is, that there was a short crash course to start off with and then week-end follow-up courses. Sir, I am afraid, with very little detailed knowledge of education, but quite a lot of knowledge of administration and quite a study of the country's needs in terms of localization, I believe, Sir, that what the hon. Member is advocating, with respect to him, is not a crash programme, but the kind of programme which might be possible after we have crashed on our present one, and I believe that our present programme will provide us with the material that we require for the time being.

Sir, the last speaker I would like to cover is my hon. friend, the Member for Kitui, Mr. Peter Muti. I would, Sir, like especially to mention the approach to the problem of the estimates which he adopted. It was obvious to me that there was an educationist studying the problem as an educationist and, if I may say so, contributing a lot of sound horse-sense to the problems which face us. One or two of the problems which he mentioned, Sir, I have already covered in my detailed replies to other hon. Members. However, Sir, he did put one aspect of the proposed increase of fees, which I think requires a passing mention. It was this: he did say that parents would be shocked by the increase and that the only result would be a reduction in the number of children entering school. Now, Sir, I do not want to give a glib answer on this one, but I do believe that hon. Members must realize that the only alternative to raising fees would be to have less places, or, there is one other alternative, Sir, which smacks of taking the money out of one pocket and putting it into the other, and that is to raise taxation generally. I do not think the hon. Member would have found that any more palatable.

He also asked, Sir, for my hon. friend, the Minister, to pay particular attention to the question of secondary modern education. I have sympathy with this view, but again I believe, Sir, that we would be unwise to try and divert funds into secondary modern education until we have bridged the gap between the numbers who are capable of completing a secondary academic or a secondary technical course and the number of such places which we can provide for the moment. I feel that that must be the first priority. This does not mean that we discard the idea of concentrating on secondary modern education as and when funds are available, but we are not there yet.

Mr. Chokwe: When will that be? What are you doing about it?

The Parliamentary Secretary for Education (Mr. Macleod): That depends largely on the hon. Member, Sir. The hon. Member asks me, Sir, what I am doing about it. If he had been in right at the beginning of this debate and kept up his keen interest he would have heard, Sir.

I was, before I was interrupted, talking about my hon. friend, Mr. Peter Mali, from Kitui. He said that one of the likable things about the African teaching service was the question of a code of discipline. I understand that my hon. friend, the Minister, has already abolished that code in the form to which he took exception. He mentioned several improvements which he considered should take place in the African teaching service. I hope, although I do not want in any way to prejudice any report, Sir, that the answer to many of these queries will lie in the findings and the recommendations of the Lawrence Report.

Now, Sir, there is one other point which I would like to deal with which was made by my hon. friend. It is this: he did say that the U.K. teaching service, after qualification, should count towards a pension, as I understood him. I would agree with him, Sir, that it should count towards increments, but not towards pension. Otherwise the Kenya Government is going to be saddled with a man who has done 20 years in the United Kingdom, brought here to teach as a specialist, say in Higher School Certificate classes, does two years here and has the total number of years to count for pension. I think that is a most dangerous precedent. Increments, yes, but for pension I do not think it is possible, Sir.

Now, Sir, the other thing he mentioned—

Mr. Chakwe: What thing was that?

The Parliamentary Secretary for Education (Mr. Macleod): Would the hon. Member like me to give way for him, Sir? He is doing his well-known imitation of a machine-gun and contributing very little.

The other thing my hon. friend, the Member for Kitui, mentioned, Sir, was the necessity for some kind of health service for schools. This is desirable; the difficulty is again the question of finance and the question of the availability of the services which my hon. friend, the Minister for Health, can supply. In European schools, Sir—I am sorry to introduce a racial note, but I think it is pertinent—the medical services are paid for privately by the parents.

My hon. friend, the Member for Fort Hall, Dr. Kiano, has advocated self-help, and in this particular case, Sir, I would agree with him entirely.

Now, Sir, I do not pretend to have dealt with all the points which have been made so far, but I did want to help my hon. friend, the Minister, as much as I could. We are slightly better than some other ministries, Sir, because we have got another Parliamentary Secretary, my hon. friend, Mr. Moi, who will also be dealing with some of the questions which hon. Members have raised. I am sorry that I have been so long. I beg to support.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, I rise to support the Minister for Education in his Estimates for this year. I think he has done a splendid job. He has presented the country with an education bill which is close to £7 million. This, Mr. Speaker, as I said in an earlier debate represents a very big chunk; indeed, of a small budget of £30 million. If we are spending so much on education—nearly one-quarter of our budget on education—we are certainly doing more than many countries in this sphere, and the Minister is to be commended on presenting such a budget which will enable us to carry out not only the existing education facilities, but also, Mr. Speaker, to improve them.

A lot of people have criticized the Minister for raising school fees. He has raised school fees, Mr. Speaker, only in secondary schools. That is to say that only at the higher level of schooling has he raised school fees, and therefore it will affect a small group, not a very large one. This has been made necessary, as a previous speaker said, because otherwise we could not maintain the services. I understand your position when you say, "Why?". Mr. Speaker, they know very well that we have been on the verge of bankruptcy in this country, that our social services have had very, very strong strain on them and that without some cuts and economy and some severe action we would not get through at all. We might perhaps lose the schools themselves if we did not do something like this, Mr. Speaker. It was therefore necessary to tighten our belts a little bit, to get the services, to maintain employment. It is most important. If the secondary schools had closed down because there was no money to support them, Mr. Speaker, the hon. gentlemen on the opposite side would have been the very first to say, "Look at that Government. What have they done?", but because we have been astute enough to apply the necessary measures at the right time these gentlemen will be happy to enjoy the services which we endeavour to maintain and will maintain with this small rise in school fees. We hope that when our programme goes through, that when we

[The Parliamentary Secretary for Finance and Development]

begin getting more revenue, the fees will be gradually reduced in the next few years to come, as we have promised the country we will do, and that in the end, in the long run we will be in the happy position where we can provide education without charging very much in the way of fees. That is the object of this Government, and I do want everybody to give us support in this case. They should encourage and assist us with everything they can do to increase public revenue so that an increasingly larger section of public revenue can go to education. This country can expand a lot more; with 6,000,000, 7,000,000, 8,000,000 people in Kenya we could produce very much more than we have today and a greater part of our national income could perhaps go to education.

I understand, Mr. Speaker, New Zealand has got a small population of about 3,000,000. Their public revenue, I am told is something in the neighbourhood of £400,000,000. Kenya with over 7,000,000 people—What is her public revenue? A meagre £28,000,000. Mr. Speaker, Sir, I call upon the Opposition to do everything they can to assist the Government to earn the public revenue which this country requires to improve the educational services. If they challenge us, if they will not do what is necessary, if they will keep on scaring everybody in this House, and in the country, so that we do not get the revenue, Mr. Speaker, they, as well as we, are going to suffer. They are in the same boat; let them not think that when we are ditched they will remain floating, Mr. Speaker. That is not true. They are deceiving themselves. When this country sinks economically we will all sink, and perhaps, Mr. Speaker, they will be the first of us to sink, because we are trying to plan how to swim across.

An hon. Member: You only have two months.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, I hear Members of the Opposition saying we have two months to go. What a cheek they have. When we were in London some time in April—

The Speaker (Mr. Slade): Mr. Okondo, keep close to the subject of education.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Thank you, Mr. Speaker, for your ruling. I said that we should assist this country, to earn more revenue and people should not make it difficult for us to earn the revenue we need for our schools.

Now, Mr. Speaker, I would like to turn my attention to the question of teacher-training. In this country we have a bottleneck somewhere between the primary schools and the university level. There is a terrible bottleneck there. Because of the errors and follies of the past policy, the colonial government pursued this policy which implemented a scheme in this country that has resulted in an awkward bottleneck, where we cannot get as many people going through the secondary schools as we could possibly get. Mr. Speaker, that policy has now been jettisoned because it was the wrong policy; it was based on misconceptions or perhaps on certain intentions which were not very good, but now that policy has been jettisoned and our intention, our plan, is that secondary education should be extended to enable all the children who pass their primary, who pass their intermediate level, to go on for secondary education. However, Mr. Speaker, this costs money; it costs a lot of money.

I am going to suggest something which is slightly revolutionary, I understand that education experts say that it is very important and necessary to have permanent buildings, to have brick and mortar for building the schools. I am going to disagree. I went to school, Mr. Speaker, for a period of three years. I wrote on the ground and learned my alphabet on the sand. Today, Mr. Speaker, I am able to stand here with the gentlemen who ask me, "Where?", more or less on an equal footing. Therefore I say there is no point on our country spending so much money on beautiful buildings which are expensive because we want buildings to show. This is, I think, a waste of public funds. I do hope that when the Minister comes to reply he will take this factor into consideration, that it is not necessary to build a school in permanent materials.

Mr. Keen: Interjection.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Would you like me to give way? Mr. Speaker, if he wants me to give way I will, but not at this juncture. I am still speaking.

Now, Mr. Speaker, if we can adopt a policy whereby we can build schools in temporary materials, in mud and poles, provided that these maintain hygienic standards, regular windows and doors, then, Mr. Speaker, the children will get just as good an education as it is possible in a complete building. In fact, we could go a long way. The same money which goes to build one expensive school could perhaps build two. I do not know the costs in this, but from the ordinary

[The Parliamentary Secretary for Finance and Development]

experience I have got I think we could get very much further with our little share in education. Mr. Speaker, I urge that the Minister should look into this matter, because all we need to maintain is not the standard of the buildings so much as the standard of teaching, the standard of the supplies, the standard of the materials coming to a school. If we can get the teachers who are qualified to teach in these schools, if we can get the appropriate material for the teachers to use, I do not see why a child cannot be taught the same stuff in a temporary house as he can be taught in a permanent house. These permanent buildings require a high cost of maintenance, they must be maintained, and it is pretty expensive—after five years or so—to keep them going, whereas with temporary huts they can be maintained at a low charge. I think if we adopted this sort of policy, that secondary schools in outside districts in certain areas could be built with temporary material, we might get much further in this sphere.

Now, Mr. Speaker, the question I was turning my attention to was one of teachers. I understand we cannot turn out the number of teachers we want.

The Speaker (Mr. Slade): Is that a convenient moment to stop?

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Yes, Mr. Speaker.

ADJOURNMENT MOTION USE OF FIREARMS BY THE POLICE

The Speaker (Mr. Slade): It is time for the interruption of ordinary business. I therefore call upon a Minister to move that the Council do now adjourn.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I move that the Council do now adjourn.

The Parliamentary Secretary for Education (Mr. arap Moi) seconded.

Dr. Kioko: Mr. Speaker, Sir, I am very thankful to have this opportunity to pursue a matter which was raised during Question Time last week regarding the use of firearms by the police. As I give examples I will not necessarily concentrate only on this example but on similar incidents which could endanger the life of the people.

Now, Mr. Speaker, the issue is this: there was a question raised about possibly four incidents that had taken place in Samburu during which the police had used firearms and—(Inaudible.)

The Parliamentary Secretary for Defence corrected the question and said there were two incidents during which two persons were injured. They were taken to hospital, kept there for a few days and had been let out. In the subsequent supplementary questions a number of matters arose. First, we wanted to know whether an investigation had taken place to see the circumstances in which the shooting took place, and the Parliamentary Secretary said an investigation had taken place. When we demanded that the report should be made available to Members of the House, the Parliamentary Secretary insisted that as this was a departmental matter he would not let the House have the report. Now, there was a question as to whether there had been any scuffle or any trouble between the crowd and the police to necessitate the shooting. Checking with HANSARD I found the answer was, "No, there was not any scuffle at all." The point involved here is this, Mr. Speaker. As far as the report is concerned, this House is entitled to know matters which affect the public provided the matter is not classified under the Secrets Act which operates with regard to particular documents of Government. I cannot see why the Minister for Defence refused to allow Members of this House to look into a report which refers to the shooting at the crowds by the police when making an arrest, and I would like to have a full explanation from the Parliamentary Secretary as to why that report cannot be made available. I believe, Mr. Speaker, that there are times when the police could make a mistake. Carrying a gun, Mr. Speaker, is dangerous; that is why citizens are not allowed to carry a gun. They have to have a licence, and a certain degree of responsibility is expected of the persons who carry guns.

The position arises which makes the Members suspicious, such as the shooting at a crowd of people at Samburu. We ought to be able to see that report to check whether the police were behaving in a responsible manner. I have often felt, Mr. Speaker, that unless a gun is a sole necessity, unless it cannot be done otherwise, it is wrong to shoot at any other people, particularly a crowd. I know the Parliamentary Secretary will tell me that these fellows looked fierce and perhaps they were going to attack the police. In that case why did they not use a gas bomb? This is much easier and much safer to human life to use that little bomb which makes a certain amount of smoke that makes the eyes blur and tears come. The people remain unhurt, but in this particular case they preferred to use a gun.

That is not the only incident. We have similar incidents. Only recently, I think last week, in

[Dr. Kioko] location 13 in Fort Hall, some policemen went to arrest a person. The chief was there and what happened was that they shot at the individuals twice. Another incident has taken place again this year, in—(Inaudible.) and in this particular case the person was quite badly hurt, but in location 13 he was not. To make matters worse, some persons who were around when they heard the shotgun began crying and shouting and the excitement came after the shooting. It could have caused a very bad riot, because shooting is something which instead of creating order could create disorder.

There is a case here for reminding the police that we want them to be a symbol of protecting the individuals, not to be symbols of fear. I am sorry to say Mr. Speaker, that in the Kenya today the police continue to be viewed by the public as objects of fear. Instead of just defending that we should analyse what it is that makes the relations between the police and the public in this country far from being what they could be, and one of the things which cause this is that they quickly run to a gun before making an arrest when perhaps without using a gun the arrest could be made. I do know particular cases in Fort Hall when a person could have been arrested without a gun being used. Instead, what happened was that the women started shouting and so on after the shooting and they were also arrested and they were fined Sh. 20 each later.

That is not only true as far as the police are concerned in that area; it is true throughout Kenya. Our police must learn to be more self-restrained, more disciplined in their behaviour; and they should consider the gun was something which really is undesirable to use except really and truly in physical self-defence. I get a bit nervous myself when I see the police with guns; I get nervous even when I am in New York because the police there prefer to have two pistols instead of one on their belts. I must say that much as I do not like the climate of England I feel very happy with the police in London because they have nothing but a stick in their hands. We must not be so free with issuing guns.

Actually, Mr. Speaker, it is my contention that as far as some people are concerned, particular Tribal Police and lower level ranks in the police itself, in the actual police, we should be more careful and not allow them to carry guns. When I see somebody getting a gun just in a village, that person is to me a danger to security and good order because most people have the same reaction I have towards a gun. It makes the people jumpy, it makes the police appear to be

symbols of superior power and the symbols of fear. We cannot govern through fear. It is true that a government has sometimes to resort to force to enforce its law, but that government, Mr. Speaker, is one which has won so much respect from the people that it is not necessary to induce the majority of them to obey the law. I think that every time the police use guns it is not just because of self-defence; it must also be considered that it is to a certain extent a failure in terms of good administration.

If the Parliamentary Secretary would agree, therefore, to allow the House to have the report and if the Parliamentary Secretary would also promise the House that as much as possible guns will not be used to disband crowds, that if it is necessary they will use tear gas if it must be used, and if he could tell us that tribal policemen in the villages when doing their ordinary rounds of the villages will not carry guns, apart from when they are after somebody very dangerous, but doing their ordinary beats they will not, and also that the lower ranking policemen will not be allowed to carry guns when doing their ordinary traffic work or just looking round the localities, then I believe that he might be surprised to find that the feeling of the public towards the police may improve. If, on the other hand, he insists on saying they must carry guns in self-defence, I still want to know why they do not use tear gas. If he insists on defending the case in Samburu, which incidentally was twice, then he must know that relations between the Samburu and the police will get worse and not get better. They will continue getting worse and worse, and I do not think the Parliamentary Secretary, or myself, or anybody wants to see constant trouble between the police and the Samburu. We must, therefore, consider which is the best way to restore some degree of confidence, of good relations between the Samburu people and the police, and not only the Samburu, but throughout Kenya really. The relations between the public and police are very bad. We must consider ways of improving them.

I must say this, that I was surprised when the Parliamentary Secretary said that the policeman who shot at the Samburu had not been transferred. Whatever reasons they may have, the point is that when the people in that area see him they cannot be expected to obey him with respect and honour. It is simply a question of good public administration, that when a relationship has so broken down as to have the police shooting at a crowd, then that policeman should immediately be transferred; if not dismissed. At least he should be transferred from that area, because so long as he is there and as long as they

[Dr. Kioko] see him they will think, "That is our enemy." If this is the way the Government is going to strengthen law and order, they are doing it in the wrong way.

Therefore, I must recommend very strongly to the Parliamentary Secretary that he should reconsider the decision they have taken and transfer those policemen. Before transferring them to any other district they should be given a strong, tough lecture that the gun is not a toy; it is a dangerous weapon. It is a—(inaudible)—that they could turn into.

I am concerned with being brief, Mr. Speaker, because I know two or three other people would like to speak, but I would like to make this very clear. Now that independence is coming we want to have a police force that is so respected that our country can be peaceful; that our country can minimize security dangers. If we are going to keep the present police and if we are going to have the present attitude of the public towards the police, Mr. Speaker, we will be risking the independent Kenya that we are going to get within a very short time. Therefore, a reform of the police and particularly its relationship with the public, especially as far as the gun is concerned, is a reform which is urgently required today, so that by the time we come to that independence day I will be proud of the police force in the country, and the Parliamentary Secretary will be proud of the police force in the country, and the attitude of the public will be an attitude which is proud of its police force. This is not the situation today and I think these reforms have to be made most urgently.

I would like these requests I have made to the Parliamentary Secretary being replied to point by point because I think they affect fundamentally the question of security in the country, the question of law and order, and the question of the public versus the police force. I am sorry to say that at present the police are a symbol of fear and a symbol of the undesirable, and I do hope that—

The Speaker (Mr. Slade): You are beginning to repeat yourself, Dr. Kioko.

Dr. Kioko: Thank you, Mr. Speaker. I do hope, therefore, that these reforms will be made and that the report will be made available to the House, and that the police will not be allowed to carry guns as freely as they do today.

The Parliamentary Secretary for Defence (Mr. Murgor): Thank you, Mr. Speaker. I do hope, First I must correct the hon. Member for Fort Hall that this incident took place in Isiolo and not in Samburu District. As stated in the reply to the

original question, Sir, only two incidents occurred during 1960 in which Samburu tribesmen were shot by the police in the Isiolo leasehold area of the Isiolo District. In neither case was any person killed, but two Samburu were slightly wounded by rifle fire.

Mr. Nyagah: Why?

The Parliamentary Secretary for Defence (Mr. Murgor): I am going to tell you the reason. Both men received hospital treatment and made rapid recoveries. No person was killed during any brushes with the police in that area in 1960.

At a border committee meeting of Somalia and Samburu held in September, 1960, Sir, it was alleged that police had shot a Samburu elder early in 1960. Investigations proved this allegation to be false, but a Samburu elder was killed by two Somali youths when he was trying to steal their cattle. An inquest into this matter is still pending due to the fact that the principal witness has gone to Somalia. No police or Tribal Police were in any way involved in the killing. It may, of course, have some bearing if the hon. Nominated Member for Samburu has his facts wrong.

The two incidents of shooting and wounding which did occur bear a marked similarity to each other. In both cases parties of police were on patrol and came across herds of cattle in the Isiolo leasehold area which were being illegally grazed there by Samburu tribesmen. In the first case, the cattle were five miles inside the leasehold area, and in the second they were eight miles inside the leasehold area. The herdsmen were committing an offence against section 5 (1) (a) of the Diseases of Animals Ordinance (Cap. 213, Laws of Kenya). To quote, section 17 of the Diseases of Animals Ordinance provides, *inter alia*, that: "Where any person is seen or found committing . . . an offence against this Ordinance, . . . a police officer may without warrant stop and detain him, and if his name and address be not known to the officer stopping and detaining him, and he fails to give them to the satisfaction of such officer, such officer may without warrant apprehend him."

Section 18 of the same Ordinance makes it an offence to obstruct or impede an officer acting under the provisions of section 17.

To revert to the similarity of the shooting incidents, in both cases one police constable only came face to face with a Samburu herdsmen who, in both cases, threw stones at the policeman and then threw their spears. In the first incident, the spears narrowly missed the constable and in the second, the constable's rifle was badly damaged by a spear. In both cases, again, the police constable fired shots in the air in order to warn

[The Parliamentary Secretary for Defence] the Samburu, but when this had no effect they were forced to fire at the man concerned.

The Samburu were subsequently charged—

Mr. Nyagah: On a point of order, I would like to find out whether the hon. Member is in order reading a speech when it is not a question which was asked.

The Speaker (Mr. Slade): It is in order for Ministers or Parliamentary Secretaries to read accounts of facts which have been provided for them.

The Parliamentary Secretary for Defence (Mr. Murgor): In both cases again the police constable fired shots in the air in order to warn the Samburu, but when this had no effect they were forced to fire at the man concerned.

The Samburu were subsequently charged before the first class magistrate at Isiolo and were dealt with as follows: first incident, Soji ole Nolonoyo, two months' imprisonment for wilfully obstructing a police officer in the due execution of his duty, and to forfeit 17 head of cattle for moving stock from an infected area; second incident, Letungan ole Leterwa, 10 months' imprisonment for resisting arrest, and to forfeit 16 head of cattle for moving stock from an infected area.

I would like to emphasize, Sir, that the magistrate, in the subsequent proceedings relating to the first incident, ruled that the police had been justified in using the amount of force that they did. In respect of the second incident, it was ruled that the constable acted coolly and deserved commendation for his actions.

As regards the legal position concerning the use of firearms by the police, section 28 (c) of the Police Ordinance, 1960, reads as follows: "A police officer may use arms (which includes firearms) against any person who by force prevents or attempts to prevent the lawful arrest of himself or of any other person; provided that arms shall not be used as authorized in paragraph (c) of this section unless the officer has reasonable ground to believe that he or any other person is in danger of grievous bodily harm or that he cannot otherwise effect the arrest."

Attention is drawn to the proviso to the above-quoted section of the Police Ordinance, namely that firearms shall not be used unless the police officer has reasonable ground to believe that he or any other person was in danger of grievous bodily harm.

In both those incidents, Sir, the police officers concerned were fully justified in their actions

because the Samburu tribesmen attempted by force—throwing stones and then spears—to prevent their lawful arrest for an offence under the Diseases of Animals Ordinance; and the police officers had reasonable grounds to believe that they were in danger of grievous bodily harm from stone and spear wounds.

The Speaker (Mr. Slade): At this point, Mr. Murgor, I do not think there is so much justification for reading your speech. You should try to remember the questions which were raised by Dr. Kioko and not just your prepared speech. Try to answer what Dr. Kioko said.

The Parliamentary Secretary for Defence (Mr. Murgor): Thank you, Sir. I was quoting the sections of the law.

It is, therefore, considered, and the magistrate so held, that there was such justification in both incidents. On both occasions, Sir, a lone policeman was faced with a spear-armed Samburu tribesman who had no scruples in resorting to violence with a lethal weapon in order to prevent the lawful impounding of his cattle.

A number of supplementary questions, Sir, were put to the original question, namely: "Was the shooting (really unavoidable or was it a trigger-happy business?" It is clear, Sir, from the detailed explanation that the limited use of firearms on these occasions was completely unavoidable and there was no question of the police being trigger happy.

The Speaker (Mr. Slade): Mr. Murgor, I cannot let you read much more of this part of your speech of this kind.

The Parliamentary Secretary for Defence (Mr. Murgor): Mr. Speaker, Sir, I think the police were justified in shooting to prevent themselves being wounded by the spears of the Samburu. The Samburu themselves started to throw stones and spears at the constables.

Another question in the supplementaries was "Were any policemen injured?" No, Sir, there were not, but in one case, a spear narrowly missed the constable and in the other, a police rifle was badly damaged.

In another supplementary question, Sir, it was asked "Was there an intention of killing?" I said "No, there was no such intention, because if the constable had had the intention as such a close range, he could have killed the Samburu herdsmen."

Finally, Sir, attention must be drawn to the necessity for police to take firm action in stock thefts and disputes between pastoral tribes.

[The Parliamentary Secretary for Defence]

The incidents under discussion have referred to two Samburu, Sir, who had taken violent action in obstructing the course of justice, and has touched on what occurred when a Samburu tried to steal the stock of a Somali. That murder and violent death would take place if the police were not on hand is illustrated by the following figures. In the Northern Province during 1960, six Turkana, five Dodoth, two Boran, two Gabbra, one Somali and one Samburu, a total of 17 persons, were killed intertribally in the course of stock theft incidents.

During 1961, 20 Turkana, 32 Dodoth, 8 Boran, 11 Gabbra and 26 Rendille, a total of 97, Sir, have been killed intertribally in the course of stock thefts, either in connexion with stock theft activities or in defence of their herds against raiders.

In the Southern Province, where somewhat similar conditions to the Northern Province prevail, 9 Kamba and 3 Masai were killed in tribal clashes in 1960. In addition, during 1960 and 1961 7 persons were killed in intertribal disputes elsewhere in the Southern Province during the course of raids by stock thieves.

Finally, I want to remind the House that only yesterday, Sir, a report was received of Samburu stealing a herd of 200 cattle from Meru. The herd was guarded by two old men, one of whom was killed and the other wounded.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I realize I have just one minute, but I would like to make it quite clear that the report as given by the Parliamentary Secretary has shown the facts and circumstances under which these incidents took place. I also want to make it clear that the Government has no intention of hiding anything from the Member who has moved the Motion with regard to the report. Apparently, Sir, it is quite clear that, in the circumstances, there was no tear gas to be used, and I think the hon. Member understands the situation. I share the opinion of the hon. Member that relations between the public and the police must improve, but I hope he realizes that this is not a one-way traffic, I hope the Member himself will encourage this as far as the people are concerned.

With regard to the carrying of firearms by the police, we have no intention of shooting people just for the sake of shooting, but it has been clearly shown by the Parliamentary Secretary that this was a matter of self-defence. I am sure that the spearing was intended to kill, but he has

shown, very clearly, that the shooting was not intended to kill.

ADJOURNMENT

The Speaker (Mr. Slade): The time allowed for this matter has now expired. Council is, therefore, adjourned until tomorrow, Thursday, 20th July, at 2.30 p.m.

The House rose at Ten o'clock.

Thursday, 20th July, 1961

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

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

PRAYERS**ORAL ANSWERS TO QUESTIONS****QUESTION No. 107**

Mr. Chanan Singh asked the Minister for Defence will the Minister publish for the information of booksellers and the general public an up-to-date list of books and periodicals which are banned in Kenya? Will the Minister say if any arrangements exist for reviewing orders banning publications in view of changes in circumstances? In the case of publications which the Minister considers should continue to be banned, will he give in the House orally or circulate to Members in writing reasons, why the ban was imposed in each case?

The Minister for Defence (Mr. Swann): Mr. Speaker, Sir, I beg to reply. Yes, Sir, I am arranging to have an up-to-date list of banned books and periodicals published in the Official Gazette for the information of the general public. Proscription Orders banning specific publications are reviewed from time to time or when circumstances require it. A complete review of all prohibited publications was carried out in April this year. No, Sir, Publications are banned for one or more of the reasons given in section 53 of the Penal Code.

Mr. Commodore Howard-Williams: Under the second part, Sir, will the hon. Minister kindly review the order under which an erudite weekly newspaper called *Independent* was banned by the late Governor in that it was proscribed without good reason and is a grave reflection upon the able group which now proudly bears its name?

The Minister for Defence (Mr. Swann): Mr. Speaker, Sir, I think the question of specific publications is another question, and I shall be only too happy to review all publications together with that particular one at the next occasion.

Mr. Commodore Howard-Williams: Mr. Speaker, Sir, is it proper for the hon. the Minister to dodge this question, because I would have thought that it came specifically under the major question.

The Speaker (Mr. Slade): The Minister is quite correct; this is not strictly under this general question of principle and practice. It should be raised as a separate question.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, is the Minister well aware that many of my constituents can just put a foot across the Uganda border and read some of the books which are banned in Kenya?

The Minister for Defence (Mr. Swann): I should think that is quite possible, Sir.

Mr. Mboya: Mr. Speaker, Sir, arising from the reply, could the Minister tell the House what if anything is being done to have some co-ordination throughout East Africa, because it appears nonsensical to ban a book in Kenya if you can read it in Tanganyika and Uganda?

The Minister for Defence (Mr. Swann): That is an extremely good suggestion and I will certainly see what we can do to co-ordinate between the three territories.

Mr. Argwings-Kodhek: Mr. Speaker, Sir, the House and the country are interested to know what particular criterion the Minister uses before banning a certain publication.

The Minister for Defence (Mr. Swann): The hon. Member will find that, Sir, in section 53 of the Penal Code.

Mr. Jamal: Will the hon. Minister state whether there is a committee which decides whether certain periodicals should be banned or does the Minister take the decision on his own?

The Minister for Defence (Mr. Swann): The Minister takes the decision on his own, Sir.

Mr. Chanan Singh: Will the hon. Minister tell us how many publications were taken out of the list at the last review?

The Minister for Defence (Mr. Swann): I should need notice of that question, Sir.

Mr. Mboya: Mr. Speaker, Sir, would the Minister state what he actually does when he says he takes the decision on his own? Does he read all the periodicals and books before he bans them; or does he rely on some advice? If so, who advises him?

The Minister for Defence (Mr. Swann): With regard to the question of advice, Sir, it comes from a large number of people, particularly public bodies who draw my attention to particular works which they think are unsuitable for publication. As regards new publications I would like to be given a chance to reply, Sir, before the mass rising of hon. Members opposite. Any new publications I read myself.

Mr. Mwendwa: Arising out of the question, Mr. Speaker, if the Minister decides by himself which publications should be banned, is that not inter-racial?

The Minister for Defence (Mr. Swann): The answer is, no, Sir.

Mr. Nthenge: Arising from the reply, if the Minister decides by recommendations from some body, does he also consider that there are other bodies which may have contrary opinions?

The Minister for Defence (Mr. Swann): Yes, Sir.

Mr. Mboya: Mr. Speaker, Sir, if the Minister decides on the basis of advice or opinions expressed by public bodies, would he explain how those bodies express their opinion on the publication of books which have not as yet been circulated or sold in Kenya? How do they express their opinions before they have seen the books or publications?

The Minister for Defence (Mr. Swann): Because, Sir, they have often seen the books or publications in other countries prior to their arrival here.

Mr. Keen: Mr. Speaker, Sir, would the Minister consider lifting the ban on certain socialist periodicals, and if not, will he give the House the reasons why?

The Speaker (Mr. Slade): The question as to the application of these practices is another question. The Minister was only asked to say what is the present practice.

Mr. Nyagah: Mr. Speaker, Sir, would the Minister give information as to the validity of the rumour that certain books are banned just because their authors are known, without him having read the content of the books.

The Minister for Defence (Mr. Swann): The answer is, no, Sir.

Mr. Aringwings-Kodhek: Mr. Speaker, Sir, would the hon. Minister tell us whether there is a ban on *Lady Chatterley's Lover*, and if not why not?

The Speaker (Mr. Slade): There again, I cannot allow these specific questions on what is a matter of general principle.

Mr. Keen: Mr. Speaker, Sir, since some of the historical and geographical books in the grammar schools deride the Africans on the continent, would the Minister consider banning them?

The Minister for Defence (Mr. Swann): If the hon. Member would like to draw my attention to a specific geography book he would like to be banned, I would be delighted to read it and give my decision.

Mr. Nthenge: Mr. Speaker, Sir, would the Minister seek the opinion of Members of this House before he bans any periodicals and books coming into this country?

The Minister for Defence (Mr. Swann): I often consult a number of people, Sir, for their opinion on specific books.

Mr. Aringwings-Kodhek: Mr. Speaker, Sir, do the public bodies to whom the hon. Minister normally refers, as he confirmed, include elders of African courts and African district councils?

The Minister for Defence (Mr. Swann): They are not only, Sir, public bodies. The hon. Member would be astonished at the number of private members of the public who write to me about specific works.

NOTICES OF ADJOURNMENT MOTIONS

LOAN AND GUARANTEE COMMITMENTS

REFUSAL OF PERMITS FOR PUBLIC MEETINGS

The Speaker (Mr. Slade): Hon. Members are reminded that there is a matter to be raised on the adjournment today by Col. McKenzie, namely further commitment by way of loans or guarantee while the Council is adjourned. I will also remind hon. Members that I have received notice from Mr. Odinga that he wishes to raise on an adjournment the matter of refusal of permits for himself and Mr. Mathenge to address public meetings at Eldoret and Thomson's Falls, note not "and many others". The only remaining day for this matter to be raised on adjournment is tomorrow, so I have allotted the close of ordinary business tomorrow morning for that matter to be raised.

MOTION

PIPED WATER—COMMITTEE OF EXPERTS TO EXAMINE

(Resumption of debate interrupted on 13th July, 1961)

The Parliamentary Secretary for Commerce, Industry and Communications (Sheikh Alamoody): Mr. Speaker, Sir, water. Mr. Speaker, Sir, last Thursday when the hon. Mover of this Motion sat down I made several attempts to speak immediately after him because I wanted to second this Motion. Unfortunately, Sir, I could not catch your eye and I was beaten to the draw by the hon. Member for Nairobi East. My reason, Sir, for having been so persistent in trying to catch your eye so that I could second this Motion was that if I had had that opportunity, this Motion would be very significant in the short history of the present Session. I thought that here was a Motion which had been moved by an hon. Member of the Opposite side and if a Second for

(The Parliamentary Secretary for Commerce, Industry and Communications) that Motion came from across the Floor it would have for the first time created a precedent in this House which has been non-existent for quite some time now.

However, Sir, I now feel that having been deprived of that privilege I still would like to make a considerable contribution to this Motion before the House. Mr. Speaker, Sir, when this Motion was originally put in the Order Paper, I must admit I did not give it the real thought that it merited. It is only after having listened very carefully and very attentively to the hon. Mover that I have become more conscious of the implications, and I made up my mind that I was going to second that Motion. As a matter of fact, Mr. Speaker, Sir, the hon. Mover made such a wonderful speech that when he sat down I thought by the week-end when I went home I would have to carry chains with me because I would be swimming in water all the way to Mombasa!

Mr. Speaker, Sir, I must also admit that I am not an engineer like the hon. Mover of this Motion is, and unlike him I should not be competent to go into the detailed calculations and implications of his detailed submission. However, Sir, I feel that no hon. Member in this House can afford not to deal with water one way or the other; it is a subject which affects everybody here.

Sir, I would like very much to congratulate the hon. Mover for having spent so much time in going into the detailed working of his piped water scheme. It is very important that we do admit that Kenya is primarily an agricultural country and our whole present and future prosperity depends on our agricultural schemes. Every hon. Member in this House will agree with me that water is the prerequisite to any agricultural scheme.

Mr. Speaker, Sir, I want to give an example of an area where I come from. In 1960 the Kilifi District of the Coast Province had a bumper year. It was a year in which maize, cotton, cashew nuts and all sorts of local products were harvested to such an extent that every peasant farmer had a lot of excess money to spend. This was so because we had plenty of rainfall in that particular year. This year apart from the army worm throughout Kenya, we have unprecedented drought for quite some time, and in that very district of Kilifi which I have mentioned, the crops have completely failed, and I am sure there will be considerably less money in the pockets of those peasant farmers.

Now, Sir, this is the point I am coming to. I am sure at one stage or another all of us have been trying to define what is civilization. If I were to be asked that question I would say that civilization is direct intercourse with nature; I think that is the correct interpretation of the word civilization. Mr. Speaker, Sir, I can see my hon. friend, the Minister for Agriculture, does not agree with me on that interpretation of the meaning of the word civilization, but I think I am entitled to give my side of the argument.

The less dependent we become on nature the more civilized we are called. We build houses in order to prevent the rain and sun coming on us, and we say we are civilized because we have reached the stage where we are no longer dependent on nature. Here in Kenya, Sir, we are no longer going around naked; we wear clothes, and that is because we are civilized. Yet, Sir, in our agricultural system we are backward as anybody can say because we still depend on nature. We have not reached a stage where we can say that whether there is rain or not we will still be able to produce agriculturally. That is the point, Sir, I am trying to make in this speech.

Mr. Speaker, Sir, I know artificial rain is a sort of civilization because by having artificial rain you get away from dependence on natural rain. I do admit, Sir, that there is a danger in artificial rain, and that danger is, and probably a lot of hon. Members do not realize this, in American courts today there are several cases pending where a farmer, next door to an—

The Speaker (Mr. Slade): I must remind hon. Members once again, they should not walk between Members who are speaking and the Chair.

The Parliamentary Secretary for Commerce, Industry and Communications (Sheikh Alamoody): Mr. Speaker, Sir, I was saying that a lot of hon. Members do not realize that artificial rain has caused a lot of difficulty in America where they are well advanced in that. There are court cases pending today in America where a farmer is pending today in America where a farmer is side by side with an open-air circus and the farmer wants to have rain on his farm land, but he cannot control that rain on the boundary of his farm and it goes on the open-air circus. It spoils the circus and they go into litigation. I do admit that there is a danger in artificial rain.

Mr. Mboya: (Inaudible.)

The Parliamentary Secretary for Commerce, Industry and Communications (Sheikh Alamoody): If the hon. Member reads as much as he is supposed to do he would have read that in the *Time Magazine*.

[The Parliamentary Secretary for Commerce, Industry and Communications].
As I said, Mr. Speaker, Sir, we have come quite a long way in other respects in our civilization. We have got to the stage of cultivating by a plough and a tractor, and yet we depend upon rain alone for our agriculture. I think we must be more civilized in that respect also, and in that respect, we must find forms of irrigation for our farm lands in Kenya.

Mr. Speaker, Sir, various parts of Kenya are very dry throughout the year and there is a very, very small rainfall in those particular areas, yet numerous rivers which flow throughout the year go across those plans. If we had an aggressive policy of irrigation our productivity agriculturally would be increased more considerably than it is at the present moment. I am sure, Sir, the hon. Minister for Agriculture will stand up and say that it is quite an ideal to achieve, but where can we find the money to finance such a project. I admit, Sir, that that is very true and I will not quarrel with the hon. Minister if he says so. The reason I support this Motion is because we must look for venues where we can get money from. I admit we have no money here to finance irrigation schemes, but it is our duty that we should sit down and try to find money for these schemes, just as much as we are finding money for other schemes, because it is imperative that Kenya being an agriculturally dependent country we must see that our agricultural advances as fast as we can.

Mr. Speaker, Sir, if you drive from Kisumu to Nairobi you pass through the Kano Plain. I think with an aggressive irrigation policy you could change this valley into the best paradise in Kenya. I am told, Sir, by a very good authority that a scheme has been looked into; as a matter of fact it has already been completed, if only there was money to be found to put this scheme into operation. I understand that water could be pumped uphill from Lake Victoria to the foothills at Kibos and this water could then be allowed to gravitate downhill to the Kano Plains.

Mr. Speaker, Sir, we have had several suggestions from hon. Members across the Floor and Government has also agreed that Kenya must be self-sufficient, not immediately, but within the very near future, in sugar production. The one unfortunately produces sugar in very large quantities about two-thirds of one-third of our total production, and I am told if this area could be irrigated it could be transformed into such a sugar-cane-producing area that within a space of five years it could produce enough sugar-cane to serve the entire consumption of Kenya and have an excess for export as well. I

am told also, by a very good authority that the amount required to put this scheme into operation is just a mere £500,000.

Mr. Mboya: Find the money.

The Parliamentary Secretary for Commerce, Industry and Communications (Sheikh Alamoody): I am very grateful to the hon. Member opposite who says "Find the money." I think this is a sign that the hon. Member is becoming more responsible and that he has changed, because at least we find that the hon. Member and ourselves at least agree on the question that we have not got the money. I am sure he will be prepared to sit with us and knock our heads together and with his co-operation try to find where money should come from to make Kenya a prosperous place.

Mr. Mboya: I shall knock your heads together!

The Parliamentary Secretary for Commerce, Industry and Communications (Sheikh Alamoody): Mr. Speaker, Sir, that is one of the things which irrigation could improve, the productivity of Kenya. If we were self-sufficient in sugar production, we would also be able to use the same area for other products, not necessarily sugar, because there would be a lot of auxiliary products coming from that area. I think the hon. Minister for Agriculture should look into this possibility very seriously to see even if we cannot complete the proposal the hon. Mover made to this House, at least we could initiate this scheme which is a modest one.

Mr. Speaker, Sir, we have also a very thriving tourist industry in this country. We have a lot of money coming into this country through tourism; although a lot of Members do not see the money coming in, it is a sort of invisible earning project, yet it is a very important industry to this country. However, earlier this year we were all very frightened by the speed with which our game was being depleted because of drought conditions. If we had these irrigation schemes, water could be made available in our game parks and our game would not have suffered in the same way as it did earlier this year.

Mr. Speaker, Sir, while on the question of irrigation schemes, I cannot divorce the question of drinking water from irrigation water, because it is all water as I originally said. The difficulty, Mr. Speaker, is not water for irrigation purposes only, but there is a tremendous amount of difficulty in getting water to meet basic human needs, drinking water. I am sure every hon. Member in this country who has travelled throughout Kenya as much as I have would agree with me that there is a lot to be desired in the facilities for

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making drinking water available to the ordinary men in the reserves. I am talking particularly, Sir, apart from the Northern Province, about districts like Kilifi, Malindi and Lamu. These districts, Sir, by any standards are agricultural country and the density of population is not as bad as the Northern Province where there are semi-desert conditions. Yet, every evening when driving along main roads in these districts you find streams of women carrying pots of water for miles just to bring one pot of drinking-water for the whole family for one evening. They start about two o'clock and come back about seven o'clock in order to bring one pot of water to the house. Mr. Speaker, Sir, I think this is a subject which must be very seriously considered. I do admit, as I have admitted earlier, that it is not a problem which can be solved overnight. It is a problem which requires very careful consideration. It is a human problem that requires human solution, and it behoves I think, Sir, every hon. Member in this House to look into this question. We are lucky, we just turn on our taps and water pours out; yet these people suffer considerably in trying to get water just for drinking, apart from agricultural purposes. When I say this, Sir, I also have in mind the position of people on the Bajun Islands. On those islands the only source of drinking water comes from one or two wells. As the hon. Members in this House know, the Bajun Archipelago lies in very low country and the water they draw from these wells is almost like sea water. I have visited that area myself several times, and I have found that it is just like drinking salt water or sea water when you go to those islands. Yet, Sir, I am told that with a very modest scheme water could be piped across the very narrow channel into this island from a place as near as about three miles away. These poor people would be swimming in water at a very modest cost to this country. I sincerely hope the hon. Minister for Agriculture will look into this matter and give it number one priority, because of the suffering of the people in that area.

Mr. Speaker, Sir, I originally intended to take quite a considerable time on this question of water, but after having a chat with several Members on this side of the House I have found that almost all of them are fully conscious of the necessity for water, both for irrigation and for drinking purposes, and that my views and theirs almost coincide, so there is no necessity for me to prolong my speech. I only hope, Mr. Speaker, Sir, that in spite of our difficulties—and those difficulties are mostly financial, I am told—that

we will find a solution, a workable solution which we can meet even the minimum requirements for water in this country, for irrigation and for drinking purposes.

Mr. Speaker, Sir, I beg to support.

Mr. Nthenge: Mr. Speaker, Sir, as I come from a dry area I do not think I should let this idea pass without saying a few things about it. First of all, I should like to congratulate the hon. Member who moved the Motion, first because of moving the Motion, and secondly because of dealing with it so well, and indeed in great detail. I was very happy that he went into detail in showing how economic the idea was. I feel that we should all support this Motion because it will eliminate a lot of needs which exist in this country. Some areas keep getting famine because they do not have sufficient rainfall. It is not that their land could not grow good food; it could, but because of shortage of rainfall, they normally do not have as much and sometimes they have to be fed. Now the people in Ukambani are being fed and because they are being fed they cannot be expected to be very healthy because they do not get all their requirements. At the same time they do not have sufficient energy to do useful work whereby they can make money, and as a result you find that most of them cannot pay their taxes. That way the Government loses, so many of them are being exempted. It may be that the Government loses more money on these and on imprisonment than the capital required to do the work.

I feel that if a piped water scheme is followed up and introduced, that problem would be completely solved. The Wakamba, as well as many other people do keep cattle, but their cattle are not very good because they do not have sufficient water. I feel this idea would solve this problem. Their cattle would produce more, and that way the economy of the country would rise.

After all, water is such a gift from God that that hardly anything else can be compared with it. I feel it is time the Government did everything they could to make sure that everybody gets a chance of making use of this precious gift from God. People will drink clean water which has been examined and approved by doctors instead of going and digging wells, quite often having to drink very dirty water which causes a lot of diseases. These diseases have got to be cured, and in the course of curing them a lot of money is spent by the Government, whereas if the water were clean these people would not be ill and this money would be saved. Therefore, it is actually cheaper to spend money on this piped water scheme because it would eliminate disease. It

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would eliminate diseases which cost so much to cure.

Mr. Speaker, Sir, I think it is time you spoke on our behalf in this issue. You will find almost 50 per cent of the people in Kenya do not have good water to drink, and this scheme would solve this problem entirely.

Then we come to employment. You find if you go to these drier parts which have very good soil but unfortunately—as I said—because of low rainfall they cannot produce much, many, many people doing very little and sometimes nothing; these people are underworked. If water could be brought, these people would be busy, they would till their land and would be occupied all the time. They would not need to come to look for jobs in Nairobi. As a rule what they do is just get rid of cattle which are not very productive because they do not have sufficient water. Instead of having the cattle and sitting back with only one person looking after them, many people would be occupied in their *shambas*, in their irrigated *shambas*, and that way the country would produce more. Everybody would be occupied.

Now, we are all crying "Unemployment, unemployment". Also, I know some hon. Members are not very much in touch with the ordinary man as I am, because I still mix a lot with them. I even go to eat where they eat, and it is surprising to note the number of these people who cannot afford food for 30 cents because they are not employed. This idea will solve this problem of unemployment and under-employment. Some people who are quite often taken to be employed only spend one-tenth of their time doing useful work. If this piped water scheme could be brought into force these people would be occupied and they would do much for the benefit of the country. For example, the Africans do not pay income tax and everybody wishes they did; one way of making them pay income tax is just to bring water into the country. They will earn so much they will be taxed by the Government. I do not know what the Government fears about doing these things. It is for the benefit of the country. The standard of living of these people would rise because they would earn so much by tilling their land.

All one needs to do is go to Mombasa by car, not driving fast, and you will see the vast country which is wasted now because there is not sufficient water. That land could be used for producing a lot of things which we could export to get money. Probably some rich man will think of coming and starting factories here; in these factories a lot of

people would be employed and the question of low standards would be solved. Supposing we were to produce a lot of cotton between here and Mombasa some commercial enterprise might spring up and many factories might be built there. People would work there; others would be working in the *shambas*.

Something else I would like to mention is that we learn on the health side that people require green vegetables and whatnot for good health. They would not get diseases because in some of these fruits and green vegetables they get vitamins which fight diseases and therefore the disease will not come. Now in these dry parts people never eat green things because they do not have them. They only eat them for about a month a year when the rain falls, and then they go. If we brought them water these people would be able to eat green fruits and vegetables throughout the year and they would be healthier. Once you are healthier you tend to do more and once you do more you produce more, and if you produce much the country gets much out of your work. Mr. Speaker, Sir, I feel it is time we stopped and thought, "What can we do for this country?" because we are not going to leave this country and go elsewhere. It is time we started thinking of Kenya in twenty years' time. If we started doing these things we will produce very healthy people and many exportable products and we would create a lot of employment, both in the *shambas* and in the factories which definitely will have to spring up.

Mr. Speaker, Sir, somebody might say, "But this is a very expensive thing, and how can it be done?" It was dealt with so well, I do not think it could be done better, by the hon. Member. If we showed the money involved, and we can borrow this money from various places, at least the more advanced countries, and places like the International Bank, and I think they would definitely lend us money for this scheme. Within ten or twenty years we will have paid this debt back and people would be getting more from this country than they get now. In fact, I bet we could increase the economy of this country by 50 per cent to 70 per cent if we were to put this scheme into force. When we put this system into force we would definitely find so many people come to this country. There is something I would like to mention which will have to happen, and that is that there are minerals in Kenya, but because the country is so dry nobody has ever even visited those areas, but once you find more people coming to live in this country somebody will build factories and small towns will spring up. Others will say, "Let's go and investigate what is

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next door," and they may find a lot of minerals, because I believe there are minerals in Kenya but no one knows about them. Therefore this piped water system would solve very many problems. We will get richer and richer. I do not see what is wrong with us getting richer, especially when we are sure we are going to live in this country.

People will ask how we get the water. What is science for? Science is for teaching us to be able to make use of it. Scientifically water can be sent into these dry parts very cheaply because there is more water in Lake Victoria than it requires, even if we had nothing else. But what is wrong with the rivers, sending water to the sea. The sea does not require this water at all. If we take these rivers and make big dams water could be got from these dams and it could be sent all over by a piped water scheme. This water would be useful. Other people who have no hope may say that if we start doing this we will finish the water. I would like to make it clear that I think we will increase the water and increase the rainfall, because when we irrigate these areas there will be more water area exposed to the sun and to the air, and therefore greater evaporation will take place. Because of that we will get more clouds and there will be more rainfall; instead of just letting a lot of water sink, or rather a lot of water be contained in a small area but it goes deeper, we could make it go to a bigger area, and it will evaporate, and therefore we would get more rain.

Actually, the whole system solves so many problems. You will find the areas which were irrigated first towards the end will not require so much water for irrigation because they will be getting sufficient rainfall.

Now, Mr. Speaker, I would also like to mention that not only is there Lake Victoria. That is the main one, but we have big rivers like the Tana, Athi, and these rivers could also be a source of supply of this water which we need to pipe. I would also like to mention that the people who will be working this pipe-scheme organization will learn and they will realize the importance of engineering and that way we will attract many people to go for engineering courses. If you tell most of the people now to go and take an engineering course, they do not understand what you are talking about, because they have not seen it in practice. Most of them have not been in touch with the advantages of engineering. Everybody will see that it could be done and then they might think "I had better go and learn how to bring water to irrigate these areas," and when he is asked what he should do all he is told is to go

and take an engineering course. The whole system will be educative; it will teach people a lot of things.

Another problem which will be definitely solved is the problem of women walking for water. I know some of the people think we are talking Greek because they cannot understand it; they have never seen it. There are areas where if you visit you are asked two questions: do you want water or do you want food, because you cannot have the two. People say they want food because water is so difficult to get. Women work a full day to draw water. They spend half a day walking to the river or the place they get water from and half a day walking back.

The Speaker (Mr. Slade): Mr. Nihenge, Mr. Alamoody has just dwelt on that point at some length.

Mr. Nihenge: I support the idea, I am trying to say that these women instead of walking will be occupied in doing more useful work. It is not that they will not get tired; they will get tired as they do now, if not more so, but they will do more useful work, because at the moment their time is simply wasted walking. Instead of walking they could start working in the *shambas* which have been irrigated and they can produce a lot of fruit, tomatoes and all other vegetables, and their children will be healthy.

Some people might say that along the Mombasa road it is a small piece of land and they cannot get very much towards it, but I would like to mention that there is an area called Yatta, which could be irrigated and much could be got out of it. The Masailand, which is very sparse, could produce probably all the butter the world requires if they had first-class grazing. This could be got because it is typical for grazing, but they do not have sufficient water, but they can produce first-class cattle. If that area is irrigated these people will produce first-class cattle; they will produce more meat; they will produce more cheese, more butter and therefore this country will be richer. Once it is richer on one side you will find other things spring up. All you need to do is have a lecture on economics and find out that a rich person creates employment for other people.

What makes some people reluctant to accept this scheme is that they always think of the past. It is unfortunate there are so many people who do not think of the future. Some of these ideas would have looked silly long back, but now they are up to date, but unfortunately some people are becoming out of date and that is why they

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discusses an important problem like this with such important bodies, for instance, as the Rotary Club and in articles in the Press". Now, I did not intend to stir in any way the turbulent waters of debate by quoting what my hon. predecessor said, but these interjections of "Question, question!" cause me to point out to the House that the question of fact which I have not raised at all—I am merely giving the hon. Member the facts as we see them—was also queried by my hon. predecessor.

Now, Sir, I think those figures relating to the Mombasa Pipeline show how unrealistic it would be to imply that we could convey great quantities of water for long distances from Lake Victoria to either areas of Nyanza, far from the lake, or to areas of the Rift Valley. It should be remembered, for instance, that to pump water from Lake Victoria into the Rift Valley would require pumping, and pumping costs would have to be added to the costs which I have just given. These are themselves very high, indeed, and we have done an exercise which shows that the electric power consumed in pumping sufficient water from Lake Victoria to irrigate 10,000 acres in the Rift Valley would be about as much as that now consumed by the City of Nairobi or about one-third of the total electrical power consumed in Kenya as a whole. Just to deal with this question of Lake Victoria, I shall be returning to it over the whole aspect of irrigation in the Kano Plain.

Now, I have referred, I hope gently and sympathetically, to the necessity for us to grasp well and truly facts as opposed to emotional aspirations. The hon. Member, when speaking, said that the area of the lake was 100,000,000 acres. The actual area of the lake is 16,000,000 acres. If we were to accept a drop in the area of the level of the lake of one foot in a year we could irrigate, we will say, 4,000,000 acres. But it immediately presents us with tremendous problems. We would almost certainly lose the whole of the use of the port facilities and communications facilities at Kisumu. We would also severely damage the generation of electric power at the Owen Falls Dam, and lastly we cannot escape it as a country that when we are independent we will have to live in amity with our neighbours, and any severe tampering with the waters of Lake Victoria must land us in severe repercussions with all the peoples in the Nile Valley. I would like to say this to hon. Members. I have no quarrel with much of what the hon. Member has said. There is, in my submission, tremendous scope for the development of our water facilities, and I will

deal with that later. But we must remember that the water of the Nile is life and blood to the people of the Nile Valley and we are conditioned there by certain agreements which Her Majesty's Government made in 1929 with the Sudan and Egypt. Whether those agreements were wise or not is a matter that we shortly, as an independent country will be able to examine. For some years now we have been negotiating modifications of those agreements. The warning I want to give, however, is this. There is no more, expensive element in the water world of Eastern Africa than the waters of the Nile Valley, and whoever is the Government of Kenya will, willy nilly, be forced to recognize that fact.

Now, Sir, I would like to say that conveying water by pipes is, on the whole, expensive. That does not mean that it is not part and parcel of irrigation. It does not mean that in certain circumstances it is the only method of irrigation, and certainly it does not mean that we should not use it, which will please the hon. Member, where adequate returns can be secured in relationship to the cost of piping. In certain conditions where the permeability of the soil is high, or the configuration of the ground is uneven, it is more effective than surface irrigation. Now, conditions of this kind exist in the Central Province where much coffee is already being irrigated by this method. In other conditions, however, where the soils are suitable, and the topography of the ground flat, it would be unnecessarily expensive to use overhead sprinklers. Now, I would like to quote here from a booklet prepared by the Bank of New South Wales aimed at assisting farmers who are interested in the application of spray irrigation to their own properties. I think this is significant because whatever we may think in this House, with our emotional desire to carry forward the development of this country, bankers base themselves on hard economic facts and do not on the whole base themselves on emotion. The Bank of New South Wales offered this booklet as a contribution to the task of improving the productivity of Australian primary industry. I would ask the hon. Member to note that, Australia is, as I think everybody knows, a country which is very well ahead in the application of different irrigation techniques, and the material provided in this booklet, therefore, has a particularly pertinent application to conditions here.

My way of introducing the object of the book the bank says this. "Spray irrigation has many features which give it a wider range of application than the centuries-old method of surface irrigation and it has some special advantages as a system of watering crops and pastures. Gener-

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ally, however, . . . despite the hon. Member opposite's "Question, question!" . . . it is more expensive mainly in the initial capital cost of installation, but also because operating costs are higher as water has to be pumped under pressure". Now, in considering the whole question of irrigation we have got to consider this question of overhead costs, and we have got to bear in mind that they are only justified if the end result, which is the economic production from the area irrigated, warrants it.

Now, another claim which has been made by the hon. Member of the Motion for overhead irrigation needs comment. It has been suggested that the salinity hazard can be reduced by using irrigation water on a minimum basis, just enough to fill the root zone of the plants and no more. Now the actual facts are that a minimum application of water tends to reduce the solution of the problem of salinity. In other words, it tends to aggravate it rather than reduce it. In West Pakistan and the Punjab more than five million acres are affected by salinity.

I give way graciously to the knowledge of the hon. Member; he is older than I, more distinguished than I and better educated than I; but these particular irrigation areas in West Pakistan are areas which I have seen myself. 1,500,000 acres have already gone out of cultivation, and the figure is increased by about 100,000 acres a year, or annually.

Now, an international team—I would ask the hon. Member to note this—of irrigation experts was called in to report and advise on these measures. I have no doubt at all that the Legislative Council of the Punjab and West Pakistan debated from the Opposition side exactly the same motion that has been put up by the hon. Member for a committee of experts, and I propose, therefore, to give the House an extract from what the committee of experts said in regard to this matter of salinity. The report is headed, "Feasibility Report on Salinity Control and Reclamation" and was made by the West Pakistan Water and Power Development Authority. I have the report here and I shall be very pleased to give it to the hon. Member as reading, all these papers, during the recess from tomorrow onwards. Now the report said in regard to salinity, "Water must pass through and below the root zones of plants to prevent the accumulation of salt and to leach out salts which are really present in the soil or have accumulated as a result of irrigation. There must always be,"—and I would ask the hon. Member to note this—"a downward flow of water past the

root zones of the crops. It is not economically feasible to attempt to eliminate or materially reduce seepage losses from canals of the existing irrigation system."

The next burden of the report was this: "That the only real way to deal with salinity is not to reduce the amount of water per acre which is being applied but to so increase the amount of water that the salinity hazard is reduced but the transmission of the saline elements down below the root zones of the crops which are being grown." Now, if the intention is, by applying overhead irrigation, or piped water irrigation on the surface to achieve the minimum use of water in saline areas, then it will fail.

The only way to do that is to apply maximum quantities of water which prevent the salts rising by carrying them far below where the root zone of the plants is operating. Now, in order to achieve this the commission of experts on the waters of West Pakistan and the Punjab—I would like to add here, if anybody has seen those canals they will realize they are native enterprises on which the whole of the lifeblood of Pakistan depends and therefore we can assume, I think, this commission of experts from the international world was of tremendous calibre. Their recommendation was an increase in the amount of water per acre rather than a decrease. Secondly, they recommended—this is most important—it is really the only part in this major area of irrigation where I agree with the hon. Member—they recommended that to maintain a low water table after the application of the heavy water supplies it was necessary to remove the water after it had passed below the root zone by means of tube wells and pumps or by gravity if this was feasible.

Now, before leaving the whole of this question of overhead irrigation and moving on to what I want to put to the hon. Member, as the tremendous, very considerable potential which lies ahead of us in all forms of irrigation, I would like to give some figures of irrigation development in the United States of America, and in order to keep the balance between some hon. Members of the House and others, from Russia or the U.S.S.R. In the United States of America the total area under irrigation is some 38 million acres of which less, and I would ask the hon. Member to note this, with I hope avidity, than 4 million acres are under sprinkler or piped irrigation. The distribution of sprinkler irrigation is of some interest. In the Middle Western States of Utah and Arizona, where conditions are comparable to those in large parts of Kenya, including the Lower Tana, 24 million acres are under irrigation, of which only 11,500 are under sprinkler or

[The Minister for Agriculture, Animal Husbandry and Water Resources] able to fly round the world in 90 minutes because they put all their technical energy into that and they do put practically no technical energy into piped water.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Well, Mr. Speaker, I think that is a statement which is open to question, and I think if the hon. Member were Commissar for Agriculture in Smolensk, he would not last very long!

Now, Mr. Speaker, the hon. Member said that East Africa and Kenya in particular could become the granary and abattoir of the world. Now, with that in our minds, we want to look at exactly what is the potential which is available to us for irrigation from the whole of our streams.

Now, we can irrigate in two forms: the first is total irrigation, which implies that there is no fall of rain from the atmosphere to assist us, which is practised in most of the drier parts of the world such as Egypt and the Sudan. One of the major benefits of irrigation resulting in very dry areas, such as the Lower Tana, is that land which could not be used for anything else, can be reclaimed and will go a long way to relieve land pressures. For example, we have estimated that on the Lower Tana we might be able to develop 150,000 acres, nothing like the figure which the hon. Member quoted. This could absorb between 150,000 and 200,000 people. The development of such a scheme would, of course, completely transform a district like Galole and the attendant services which have to be provided would have the effect of creating a completely new community with schools, hospitals, communications and all the other ancillaries of a modern human development. We can develop by total irrigation such areas and I will give the hon. Member in a moment or two the amount of development which we can do. Secondly, there is supplementary irrigation which I think was the main point of the hon. Member's speech. It assumes that some contribution from rainfall is available, but that a supplementary element is required, and it can be either by surface, subsurface, or overhead methods.

Now, as we are dealing with a technical subject and as we are dealing with water, because without water we cannot in any way do any irrigation, I thought it would be wise to give the House our assessment of the water resources available for irrigation. It is most important because this is really the fundamental core of the matter. All the investigations in the world, all the experts, cannot produce more water than we actually have.

Mr. McKenzie: He can read Russian?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): No; I had it translated for him, thanks very much. It was kind of you.

"Sprinkler irrigation is the practice . . . this is in Russia"—and is increasing especially on light soils and uneven land. Large flexible hoses to convey the water are sometimes used instead of field ditches. A rather heavy type of overhead irrigation system using a crawler tractor fitted with a wide-span steel frame with hoses discharging into furrows as the machine moves along the scene. But it seemed difficult to operate. Subsoil irrigation is also practised but more so on an experimental scale." Now, I do submit that a nation which has managed to fly around the world in 89 minutes and in addition has put satellites into orbit to the moon, would have a higher percentage of sprinkler and piped irrigation than 2 per cent if it was worthy of the process.

Mr. Mathenge: They are not in the tropics.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Well, parts of the U.S.S.R. are certainly warm if not actually in the tropics. Now, I hope I have said enough to show that—

Air Commodore Howard-Williams: May I, Mr. Speaker, save the hon. Minister, who is making a very good, well-prepared speech, some trouble by reminding him that in the U.S.S.R., they are

[The Minister for Agriculture, Animal Husbandry and Water Resources] Member of the uses of that water, the elements of flood flow and the possibility of storage, we are unlikely to be able to irrigate more than 1 million acres eventually in this country. Now, this is an ultimate figure and assumes no restriction in the amount of water abstracted in the Nile Basin area which must of necessity be subject to agreement with our neighbours lower down in the Nile Valley.

Now, we have devoted a tremendous amount of time towards investigating the possibility of developing irrigation in Kenya and I want to give a brief review of what we have done and how far we have gone. Now, in the Kenya Nile Basin we estimate that there are possibilities for irrigation development of more than 110 million acres at a capital cost of approximately £15 million excluding the cost, of course, of the industrial processing plants such as sugar factories which might be part and parcel of any development schemes. Now these estimates were prepared by an internationally known firm of engineering consultants and it is perhaps relevant to mention, and I think it will please the hon. Member, and I hope will disabuse him of the idea that we are set in our minds in any sense against piped water, it is I think significant to mention that of the 75,000 acres or so which we recommend for sugar cane development on or near the Kano Plain, more than 10,000 are recommended for irrigation by a system of piped water supplies. Now that is the considered decision of an international firm of consultants who are renowned throughout the world. They recommended to us out of the 75,000 acres that 10,000 acres should be used for the application of water through piped methods. I think I said 110,000 acres; I have just had a note to say it is not 110,000,000 acres; 110,000 acres from the Nile Basin in Kenya.

Now, by the way, the beginnings of the Nile Basin starts on the western slopes of the Mau, just beyond Molo towards Londiani. That will show hon. Members the extent of the Nile Basin, which of course discharges into the Mediterranean. Now, this choice between canal irrigation and piped irrigation in the scheme prepared by these international engineering consultants was not an arbitrary choice, but was based purely on economics and I would draw the attention of the hon. Member to this: It was based on topographical and soil surveys.

Now, the hon. Member the Parliamentary Secretary for Commerce and Industry mentioned the question of pumping from Lake Victoria. In this report they recommend extensive use of pumping plant to obtain water from Lake

Member of the uses of that water, the elements of flood flow and the possibility of storage, we are unlikely to be able to irrigate more than 1 million acres eventually in this country. Now, this is an ultimate figure and assumes no restriction in the amount of water abstracted in the Nile Basin area which must of necessity be subject to agreement with our neighbours lower down in the Nile Valley.

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Victoria; the lifts generally do not exceed 200 feet. A lift of 500 feet may be accepted as the maximum that can be supported economically. Irrigation of sugar in the Kano Plains by private interests has been in progress for some time and in order to supplement the information which has been available to us, we have developed there a sugar experimental station to provide us with the information for the development of these irrigation schemes.

Now, I would like the hon. Member to look at these two volumes.

Air Commodore Howard-Williams: I have done so already.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Well, it is a pity that the hon. Member in that case only looked at them and did not inwardly digest and absorb them. But these two volumes will give hon. Members an indication of the amount of work which has been done on an examination—the hon. Member wishes to have a committee of experts—which has been done already in regard to this problem. I brought in for hon. Members this map. Now, this is a map which will show the hon. Members the detailed analysis on the ground by these international consultants. Now here the hon. Member will see, no doubt with difficulty, the area which is going to be used by pipes; and here he will see the area which will be used by pumping.

Mr. Mboya: On a point of order. Is the hon. Member addressing the Chair or the hon. Members on this side? Should the Speaker see the map or the hon. Members?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, may I reply to the point of order?

The Speaker (Mr. Slade): There is no need to.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, in order that you, Mr. Speaker, should be able to see the map, I will turn it round. I want the hon. Members opposite just to look at it for a moment because I think it is important to realize that when I say we have examined these matters, we have examined them and we have secured to the best of our ability the finest technical knowledge in the world to aid and help our own hydraulic engineers who, I would like to remind the House, are men of considerable position in the world of hydraulic engineering.

Mr. Alexander: Mr. Speaker, on a point of order. Why are we not allowed to see this map for as long as the other side?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, I thought I had been rebuked by the hon. Member for Nairobi East and I have not shown you the map and I felt if I showed it to you it would be sufficient.

The Speaker (Mr. Slade): You will presumably lay the map for all the hon. Members to see in due course.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Now, Mr. Speaker, the largest river from which we can irrigate this country is the Tana, and a great deal of attention has also been paid to that since the war. We took the first investigations into it in 1946. The prospects on the Tana are not very good and it is likely that on this river irrigation development will take place in the Upper Tana, where again consulting engineers of international repute were employed by the Government to investigate the amounts of water required and could be used for irrigation development, and again in the Lower Tana, where it is likely that suitable conditions for total irrigation exists, and I have referred the hon. Member to the definition of total irrigation earlier. In the Upper Tana, that is the reach of the river down to Seven Forks, we have proposals prepared for development of about 95,000 acres of which no less than 65,000 acres are considered suitable for coffee cultivation. On the Lower Tana, the irrigation potential is estimated to be of the order of £150,000 acres. A 500-acre pilot scheme, shortly to be increased to 1,200 acres, has been in operation in the desert hinterland near Galole for the past three years and the success of the scheme has established the practicability of large-scale irrigation development in desert soils. If this river can be completely controlled it is possible that the best soils to use for irrigation purposes in the lower reaches of the Tana might be the flood plains, where fertile soil carried down by the river from the highlands of Kenya has been deposited.

Now, the establishment of the Seven Forks Hydro-electric project will only go a small way towards providing control; and many further flood reservoirs are really necessary if we are to harness the sources of this river. I want to give the hon. Member an indication of the magnitude of the task. He told the House that the mean flow of the Tana River was 1,500 cusecs.

Air-Commodore Howard-Williams: On a point of order, Sir. I did not say the mean flow. I said the total.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Well, the hon. Member makes it worse. I was giving him the benefit of the doubt. The hon. Member said that the total flow of the Tana River was 1,500 cusecs. Well, he may be interested to know that it goes as low as just over 300 cusecs and at moments when nature is rampaging and raging, it proceeds to a height of 58,000 cusecs. That will show him the magnitude of harnessing a river of this nature in that a discharge from the lowest flow to the top highest level is, by any standards, enormous.

Now, we are anxious to obtain more information on this river. I thought it would interest hon. Members to know that in order to get a detailed examination of the technical requirements needed for the harnessing of this river and its maximum development for irrigation potential, we should need something like £100,000 for a mere assessment of its engineering possibilities. But it would be foolish to embark on development in this area involving many millions of pounds without that preliminary assessment.

Now, the second largest river in our country is the Uaso Nyiro, which I believe is now being called the Ewaso Ng'iro, where a Government team has been engaged for two and a half years in detailed investigation of water resources. The report has not yet been written. But we think that this river can give us an irrigation potential of 100,000 acres. Other investigations have been carried out on the Athi River and in the Taveta area. It is likely that the water in the Athi River is almost entirely committed to supplementary irrigation in the southern part of Central Province and there is an area where, possibly, after detailed examinations, the use of piped supplies and sprinkler mechanisms would be advantageous. Development has already taken place at Taveta, but there are a great number of problems to be overcome, one of which is, in this area, salinity.

Now, I have indicated to the hon. Member that the solution to salinity is not by the minimum application of water, but by maximum application and then reduction of the water table by either pumping or channels through which to move the water to lower the water table. Now, that means in effect that we have information, a lot of it in detail, covering about 500,000 acres out of a total available acreage of 1,000,000. I would ask the hon. Member to grasp these figures. We already have the detailed knowledge, some of it presented to us by experts outside our own

experts available to us, for 500,000 acres out of a total area available to us of 1,000,000. We have plans, in our offices here, for implementation now of many of these areas. We could start, for instance, with the Upper Tana, where we already have at Mwaa Tebere some 5,000 acres under cultivation, and we have a further development plan for 7,500 acres. The yields from the Mwaa Tebere area of rice are some of the highest in the world, and the area will justify extensive irrigation projects. But I want to emphasize something I said some time ago, which is that the water loss at Mwaa Tebere in open channels is only 1 per cent of the volume of water used. That is so low that no systems of piping would justify replacement of the existing open water canal system.

Mr. McKenzie: How much longer?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Probably another hour.

Mr. McKenzie: Are you filibustering?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Yes. No, no, no. The hon. Member, Mr. Speaker, has suggested that I am filibustering.

Mr. McKenzie: I was only asking. I was not suggesting.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): I am trying to show the House the details of the development of water in this country which were so easily skated over by the hon. Member of the Motion.

Mr. McKenzie: But you have succeeded.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Not yet. And now, Sir, I want to turn to another aspect of the use of water. The first is the capital cost of development of water systems such as we have been discussing. At Mwaa Tebere the development cost amounted to £100 an acre and the return to the tenant, after making appropriate allocations for fertilizers, water usage and other services, amount to about £35 an acre. That is in an area which will grow some of the highest yielding rice in the world. £100 an acre is very different from the figures which the hon. Member quoted. That is for an open canal system which is very, very much less expensive than any form of piped water. And now I want to give the hon. Member an actual figure as opposed to an empirical figure which may have been tossed lightly into the air in the moving of the Motion.

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The hon. Member suggested that a local engineering firm had put in overhead irrigation or piped irrigation. I rather think that the firm that did that and which he quoted, also handled an irrigation scheme through a piped water system for us for the Special Crops Authority. With half a mile of piping it cost us £150 an acre and not the £28 which the hon. Member claimed. I think this is important.

Now, Sir, I would like to turn to this: there are great possibilities in this country for irrigation at intervals to supplement the rainfall. That has already been done in Central Province. It was generated since the war with the high rise in the price of coffee. But there is another point which I want to put to the hon. Member. All these schemes which we are discussing are immensely expensive. We can use money for water for piping, but we can also use the money in the general development of agriculture. It would be wrong to assume that by merely developing one million acres of land that is potentially available for irrigation in this country, we should do better than putting the same money into the development of land of high potential which exists throughout much of this country. Where we can assist all areas is in the piping of water for human and domestic needs, and I want to quote for the hon. Members two illustrations of this. The first is in the Tetu District of Nyeri where we have installed a piping scheme costing £20,000, which will provide water for individual water-holdings. Now, I suspect that many hon. Members who want to speak in this debate or have already spoken are really interested in the piping of water, not so much for the irrigation of food as for the saving of human labour in bringing water from distances and also allowing the water to reach easily their stock and domestic animals. Well, in this scheme in Tetu, costing £20,000, which I shall be opening with my colleague the Minister for Works, on 31st August, we have been tremendously assisted with finance from the World Health Organization. We have done that for this purpose: it is in order to demonstrate to the individual African landowner the value of the scheme and stimulate the wish to have similar schemes in other areas.

We have a tremendous demand in Central Province for schemes of this nature and we have a further one at Kilambu that involves something like 400 square miles with a population density of more than 1,200 to the square mile, one of the highest rural population densities in the world. Now, this scheme will cost £1½ million. Now, demands, hon. Members, of this type for piping

of water are almost certain to be something like £10 million in the next few years, and we have got to add that, for instance, to the £15 million which I have already referred to in the development of the irrigation scheme on the Kano Plains. One can, therefore, say that just for piping water in rural, mainly African areas, and for the development of irrigation, we could have solved, and have already the information and technical resources to use something like £40 million and, therefore, it is not lack of knowledge that is holding us back. It is not lack of technical assistance. It is not a hide-bound, rigid desire to use open channel as opposed to piped water supplies; it is the simple issue of finance. I have one or two items which I think will interest hon. Members generally in an assessment of the water supply of Kenya. What I wish to do is to give hon. Members the widest possible strata of facts upon which they can assess their own judgment when I come to the end of my speech.

Now I have here some of the costs of piped water systems. Here are two irrigation systems put in by the Special Crops Authority which were done on the piped water system. In Uruku 35 acres, very close to the river, and a very small lift from the river, it cost us £30 an acre. In Gachoire, 20 acres with a 200-ft. lift a quarter mile from the river, it cost us £150 per acre. Now it automatically means that these high overhead costs must limit the profits from any crop which has been grown and before we embark upon them we have to see whether we cannot irrigate through an open canal system which is cheaper, or whether the same money might not be better used in general agricultural development.

Lastly, I thought on this general survey of the water resources of Kenya, hon. Members would like to have some yardstick by which they could measure how rich we are as a country. When I listened to the hon. Mover—and I give him the greatest support and praise for his enthusiasm, for it is enthusiasm that will carry a new country forward—and I listened to the majesty of his words, the "granary and abattoir of the world", I thought I would like to have a look exactly to see how rich we are in water resources compared with, for instance, the United States of America. In the United States of America, the mean annual stream flow, that is the total flow on an average basis of all the rivers of the United States of America, is more than nine inches of available water over the whole of the country. If we were able to divert in the United States of America the water available to them, it would amount to a depth of nine inches over the whole of the

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United States of America, and if we did the same operation in our own country, I regret to say that we would only have one inch of water over the whole of our country. In other words, our water resources in our country are nine times less than the water available for the same purposes to the United States of America. Lastly, the mean annual flow of the Nile at Aswan is more than eight times as much as the total flow in the rivers of Kenya. Now that gives, I think, fully the perspective of what are the water resources available to us. Let me repeat, they are nine times less than the similar resources available to the North Americans in the United States of America and we have eight times less water in the whole of Kenya than passes at any given moment over a measuring point at Aswan in the Nile Valley. Now this is significant because however much we want to develop our water resources we are, of course, limited by the physical amount of water available to us. And that brings me back to the point which I mentioned earlier. I am a fervent believer in the development of our water supplies, but in assessing the problem and in advancing upon it we must remember that if we have £40 million with which to develop them, we should also consider whether some of that £40 million would not be better spent in the development of areas of land which we already possess which do not need normally the application of water.

Now, Sir, I want to give some detail of the major projects which we have undertaken because I want to submit to hon. Members that we have not been backward or lacking in this respect. We are not ignorant, we are not hide-bound and we are not rigid. These irrigation schemes which we operate are as follows: Mwaa Tebere, 5,000 acres; Galole 500, which we are going to increase to 1,200; Perkerra 500; Taveta 600. Now the potential already available to us through the existing investigations, surveys and head waters of the schemes is Mwaa Tebere 23,000; Galole 150,000 and Taveta, 15,000 acres. The only thing that prevents us steaming ahead, I hope, with myself reading the map showing the way and the hon. Mover driving the bus carrying the technicians and artisans behind us, is a simple word: it is lack of finance. We also have a small pilot scheme on the Kano Plains so that when finance is available we can immediately begin to operate the vast area which I showed to hon. Members on the map.

Now, I thought that hon. Members just might like an estimate of the Tana River, the Lower

Tana. I have already mentioned to hon. Members the tremendous potential, which exists in the Lower Tana and it has been recognized by us for a number of years and we hope to get international aid for its development. We also need international aid for a full detailed examination of its potential. Now it is likely that the cost of developing the 150,000 acres of the Lower Tana would be of the order of £6 million to £7 million, and the 55,000 acres near the Kano Plain between £7 million and £8 million including the cost of the industrial ancillaries necessary to make the soil productive. Now the hon. Member or National Member from Central Province already knows as I gave him the figure the other day that so top that we could use something like £1½ million in areas such the Yala Swamp and a further use of money in piping water in the Uyoma District.

Now all these areas would be best developed by a canal system with a sealing device in the area of the canal which will prevent a large loss and secure the minimum disposition of our resources. Now development of piped water schemes of any sort are not limited only to irrigation schemes. I think this is really known. What the hon. Member was getting at—Any river available to us we can develop piped water schemes from it, and here again our only major brake is the provision of finance. I have indicated already that we have to be opened at the end of this month, the 31st of July, not August, a £20,000 scheme in North Tetu and we are now in full conjunction with the African district council inaugurating a scheme in Kilambu, which will absorb something like £1½ million and cover 400 square miles. That can be repeated in any district where hon. Members want water. All the hon. Members have got to do when the end of the supply days are over is to ensure that the Ministry for which I now have responsibility has adequate finance to carry out these schemes. They are there, we have them; we know what is needed. And now, I want to give hon. Members a very quick invitation, and I am sorry the hon. Member for Nairobi East has been called away by the dictates of his carnal appetite to enjoy tea outside the Chamber because he asked me what we have done in the way of development since the last Motion.

Now, first, I do not propose to give the hon. Members every detail. I thought they would like to know that we have done an immense number of schemes in many areas, for instance, we constructed more than 700 dams for the Agriculture Department and more than 2,000 by African Land Development. We have loaned £130,000 to

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African district councils for the improvement of water supplies and we have done these immense irrigation schemes which I referred to. In the last six months, the following has been accomplished: the Zaina scheme in Nyeri, £22,000; at Embu the commencement of a scheme at Kabare of £50,000. In Rift Valley, in the Nandi area, a scheme at Lokeringet, £13,000, to be completed next month. In Elgeyo-Marakwet, Kamugio, in Baringo, Saos and Kabimol, in Nyanza North, Malava. Now all these are reticulation schemes involving the use of piped water and its transmission over land for the use of man and beast. At Kilifi there is a £17,000 scheme and in Taita, the Kishushe scheme. In the Southern Province, Kibauni and Makueni schemes of £12,000 and £5,000, a total of £160,000 which we have developed in the last six months since this last debate.

Mr. Keen: Interjection.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Well, Mr. Speaker, I have arranged to go with the hon. Member to Masai. I am arranging and I will give him a date. I think it is the 23rd August if he can make himself available to visit Masai and see whether we cannot accelerate the development of water supplies in his area. All I ask from the hon. Member is that he gives me his fullest co-operation in explaining to his people that it is the concentration of stock per acre and not so much the actual water supply which will help us.

[Mr. Speaker (Mr. Slade) left the Chair]

[Mr. Deputy Speaker (Mr. Nyngah) took the Chair]

Well, the hon. Member is a highly intelligent man. He is a man of dynamic energy; he is a man who, I am sure, can be the leader of the Kajiado Masai and I hope that in our progress through the area with me he will see for himself what we ought to do. Mr. Speaker, I do not have the details of Masai here but I can give the hon. Member them. Mr. Speaker, I would like to end by saying this. I understand fully the feeling of hon. Members over this whole question of water; apart from the many things which need to be done in the agricultural sphere, there is the most tremendous scope in the development of our water. I would submit to hon. Members that that cannot only be done by piped supplies. I also would submit to hon. Members that we are not lacking in knowledge of all these problems. We have had much better than many committees to

examine the problem before us in the use of these international engineering consultants. In other words, we have the knowledge; we actually have ready at any moment to enable us to operate both piped schemes and canal schemes according to the topography and the nature of the soil. All that we lack is the necessary money to go full steam ahead. Now, Mr. Speaker, I want to speak to hon. Members sincerely, since I took over this Ministry I have been working on wide schemes of settlement in what used to be known as the European Highlands. Those schemes for settlement will all cost a considerable sum of money, and what are they going to do? They are going to do this; they are going to buy farms now in the hands of Europeans and they are going to place on that land, on suitable areas, diligent African farmers. In the process—

Mr. Mullis: On a point of order. Has the land resettlement of the White Highlands anything to do with piped water?

The Deputy Speaker (Mr. Nyngah): I think that all these cannot be separated. And piped water schemes cannot be separated from the discussion.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Thank you Mr. Deputy Speaker. I was going to develop a thought which the hon. Member will see is married to water and piped supplies. Now, Mr. Speaker, this operation is going to dispossess many people who are now in employment unless we are very careful. It is going to lower temporarily the economic productivity of this country and for it we are going to need many hundreds of thousands of pounds. And what hon. Members can ponder in their hearts is should we drive intentionally upon this road of political inertia, which is really the purchase of farms belonging to persons of one sort and their distribution to persons of another, when the same money used in the imaginative projects which I have mentioned to the House and which the hon. Member, the Mover, has also initiated, can solve many of the problems in the land. I tell this House unhesitatingly if I had £15 million I could without more ado and with the support of the hon. Members in this House completely cure the problem of landlessness in this country. What I need from hon. Members is support to use every pound that I can gather together for this purpose and not allow ourselves to be driven hither and thither by merely political and racial and tribal emotions. If we had the imagination to do that then everything that the hon. Member, the Mover has said and much of what I have said could be implemented. There would be

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room in this country for everybody; there is room for everybody whether they are white, brown or black, farming to the utmost productivity of this country; and there is room for the landless. And what we need is to throw out of the window political emotions and use our money to the best economic advantage for the people of this country.

Now, Mr. Speaker, I am going to move an amendment, and I have chosen the wording of the amendment very carefully. I am in sympathy with what the hon. Member has put forward to this House. I have tried to show that in my opinion a committee of experts is not necessary because we have the knowledge, we have already had the expert advice and what is hampering us is the financial resources to speed us on our way. But I am deeply in sympathy with the hon. Member and I feel that much of the moans and groans which I have just heard, as usual for instance: from the hon. Member opposite, stem from the fact that many hon. Members do not understand the tremendous width and extent of our investigations into the water supply of this country and its potential. I therefore have drafted this amendment to suggest that I should lay before the House a report showing the House the whole gamut of our water development. Then if the hon. Members are not satisfied with this detailed analysis of the problem and what I have spent an hour and a half in developing in this House, and I could have used another hour and a half, hon. Members can then see for themselves a detailed presentation of the problem which is inherent in the motion of the hon. Mover. If they are not satisfied at the report which I gave I am very happy indeed that they should move a motion and then ask for a committee. But I do ask hon. Members to see for themselves what is being done. There are two disadvantages to a committee, I submit. The first is it will of necessity delay us if it is to be hurried thing meeting once a week for six weeks, it cannot even look at the problem which lies before us so that it must delay us and I seem to remember the hon. Member for Machakos, Mr. Mathenge, did not wish delay; and secondly, it must of necessity cost some money, even if it costs a small portion of money, that is a pipe, a canal or an investigation into water which we are throwing on one side. Now I move this amendment to the motion, Mr. Speaker. That all words after the word "that this Council" be left out and that there be inserted in place thereof the following words: "appreciates the efforts which Government has made to develop the

water resources of Kenya and notes that Government will lay a Report showing clearly the organization of water resources in the Colony and Protectorate, the schemes which have been implemented and the projects which have been examined and for which finance is needed, together with a general appreciation of the irrigation potential before the country and the wide scope which exists for further development in piped water supplies for man and beast."

Now I put in that last section particularly to show hon. Members that I will attempt to indicate to them in my report in every district what can be done if we will indulge in a national effort and if we have the finance.

Now, lastly, Mr. Speaker in moving this amendment, may I say this: the major problems before the people of this country in raising their standard of living do not lie in the political field. We are close to independence. It cannot be delayed. We shall then be on our own, and the plea I want to make to hon. Members is that I believe we could do far better than arguing across the Floor of this House as we do on many emotional and racial and even tribal issues, by pooling the best of our brains and resources in a national attempt with a national government to secure the finance from overseas to raise every individual in this country from the poverty which now encompasses them; to the plenty which is available to them if we can only find the economic resources, the national effort and the technical requirements to do so.

Mr. Speaker, I beg to move the amendment.

Question of the first part of the amendment "That the words to be left out be left out" proposed.

Mr. Mullis: Mr. Speaker, Sir, as usual, Mr. Speaker, the confusion has been brought in once again. The very, very clear motion that was before us has been amended and turned into nothing but a vague series of words.

I think, Mr. Speaker, the most important word in this Motion is not to much the appointment of a committee of experts but the implementation of the proposals, be they the proposals of what the hon. Mover had in mind or the proposals of the present Minister of Agriculture, and to remove the word "implement" whatever knowledge, whatever facts are or have been accumulated, the whole thing is rendered useless. What the hon. Minister for Agriculture has been able to do in his lengthy speech, which was an interesting one, is merely to instil fear into the minds of hon. Members here, because what he has done is to present difficulty after difficulty which Government has made to develop the

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instead of trying to tell the House what we can do to implement these things because, Mr. Speaker it is important that something be done. When he was talking about the possibilities of using water from Lake Victoria, he said that if that is done and the water level goes down by one foot, then automatically all the port facilities in the Lake would be ruined and that we would be in trouble with the people down the Nile who use the water. Mr. Speaker, I think the most important thing there is not so much to say that the port facilities would be ruined, but to estimate which is more important and which is more useful to the country as such. If, by using the water on Lake Victoria, this country would benefit, then we must think of using the water to benefit the country rather than think of the communications on Lake Victoria, which could be done by other means. Communications around Lake Victoria could be done, for example, by air, or they could be done not by such large boats, but by smaller boats, if necessary, and if the big ones could not be used. But the point I want to make here is first of all to find out which is more important, which is going to benefit the country more, to use the water or not to use it. The fact that there has been an agreement between the people down the Nile and Her Majesty's Government is something which is subject to revision and, I think, according to the Water Ordinance and things like that, it does not bar the interested parties using the water, it only bars one party using all the water for its own purposes and benefit. I think we have our right to use the water on Lake Victoria and I think that is another thing which could be examined and I am sure it could be settled.

The hon. Minister raised the question of money being used today to purchase farms on the White Highlands and resettle landless Africans and he said that that money could be used for a better purpose. Well, I quite agree with him, but my question is "Who is forcing the present settlers to sell their land?" Nobody is forcing them to sell their land; they are offering their land for sale, and if they are offering their land for sale, then, automatically, the Government has got to buy it, which means, Mr. Speaker, there is nobody, either politician or any other person in Kenya who is asking these people to sell their land. They are doing it themselves and they are the people who are unnecessarily plunging this country into difficulties because not all of them are selling their land, only a few I think.

Mr. Chokwe: On a point of order, Mr. Speaker, is there a quorum?

The Deputy Speaker (Mr. Nyagah): I think there is a quorum.

Mr. Malli: If it were due to political activities in this country, then all the white settlers would be selling their land here, but since it is only a few of them who wish to go away, then automatically we cannot lay the blame on politicians. It is probably because they feel they have got to sell their land because they cannot live under a black government and I would—and I am sure the hon. Minister would agree with me here—say that if anybody, be he white or whatever colour, would feel that he could not live under a black government here in Kenya, then I am sure even the hon. Minister would support me in asking such a person to go out of the country so that we can remain here with the maximum harmony.

I will not be long, Mr. Deputy Speaker, on this but I was disappointed when the hon. Minister was talking on the potentialities of the Tana River, or the use of the water in the Tana River, for irrigation purposes. I thought that he would give us something more definite, but unfortunately he has not done so. What he has managed to do is to tell the House that we require, or the country requires, £100,000 to explore the irrigation potentialities. He has not told us when this is going to be done, whereas I feel that it is urgent.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blondell): Would the hon. Member give way? I did point out to the hon. Member first that we could develop, immediately 23,000 acres in the Upper Tana, and that regarding the £100,000 necessary for a full examination of the Lower Tana we were actually negotiating for that money at the moment from international sources.

Mr. Malli: Thank you, Mr. Deputy Speaker, for the information but I would have thought, Mr. Deputy Speaker, that this is something which is urgent. Again, on the question of the Athi river, I feel that more could be done to use the waters in the Athi river for irrigation purposes. But the thing that surprises me and on which I do not agree with the hon. Minister is his suggestion that if we used the money that would be required to develop irrigation schemes in Kenya, we could be doing a more useful job by developing the present land that does not so much need irrigation. I feel, Mr. Deputy Speaker, that this may be all right for today and tomorrow but it will not be all right in many years to come. We all know that the population of the world is increasing and, more so, the population of Kenya, and I think we have to utilize

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every acre of land that we have. We have to bear in mind also that in some of these areas in Kenya—I am thinking in particular of my own constituency—it is not likely that the rainfall is increasing, it is more likely that the rainfall is decreasing as the years go by. Therefore, Mr. Speaker, to say that we cannot or that we should not so much think of using large sums of money to develop irrigation schemes I think is wrong. What probably the hon. Minister is thinking of is only the high potential areas or the high rainfall areas and he forgets that these other parts are also parts of Kenya and it is not possible for those people who happen to live there to go and live in other parts of Kenya. He mentioned in his speech about Makuani and Kibaoni having piped water schemes, but I have been to Makuani, I have been to Kibaoni, and all that I have managed to see there is piped water to the administration centre, and not to the African peasants. There, Mr. Speaker, I would not ask him to tell me now anything about these piped water schemes since I will be going with the hon. Minister to visit these particular places on 26th of this month and I will be very delighted if he will show me where these piped water schemes are in Makuani and Kibaoni. I think, Mr. Speaker, it is high time we in Kenya used all available scientific knowledge and also scientific methods as other countries are doing. What other countries are doing today where there has been, or there is, shortage of land due to increase in the population and so on is that they are trying to explore new methods of agriculture or production of crops. We hear that scientists are working to see whether it is possible to grow food crops under the depths of the ocean and so on, and I think also here in Kenya we must be more scientific and we must think of utilizing every bit of land, not only the small areas that are good enough, but we must think of turning the Northern Frontier District and the drier parts of Kenya into productive land. I think even if we invest how much money it will be profitable in the long run. What I think the hon. Minister and all Members in this House should be doing at the moment is not so much to keep on playing on words or changing this and the other, but to think probably how we could get money to develop all this land or to put all the land under irrigation.

I must, before I sit down, congratulate the hon. Mover of this Motion for the very comprehensive speech that he gave as far as the piped water irrigation scheme is concerned because I think, and I feel, that it is the answer to our problems here. When we think of some

parts of Kenya where the country is hilly, you cannot do otherwise except use piped water irrigation. You cannot do anything else at all and the cost of doing it is immaterial. The cost of doing it is immaterial at the moment; what we must do is to think of investing in these schemes which will be of the greatest benefit in the future.

Mr. Deputy Speaker, I think I should not say very much more on this particular Motion. I think much has been said and with these few words, Mr. Deputy Speaker, I beg to support the original Motion but to oppose the amendment because I feel that the amendment is not going to take us anywhere but is another way of trying to make us believe that the Government is doing quite a lot whereas, in fact it is not doing very much on this line. What we want, Mr. Speaker, is positive action. We want what has been found out to be good and useful to the country to be implemented straight away, but not to be asked all the time to appreciate what is being done. Yes, we appreciate what is being done but what is the benefit of our keeping on appreciating, appreciating these efforts? We want to see these things done and done quickly because there is no time to waste. The longer we wait, probably the price of materials will go up and when we do think of doing these things and of implementing these schemes probably the prices of the materials will be far higher than they are today. I think by doing it right away we will be saving quite a lot.

Mr. Deputy Speaker, I beg to support the original Motion.

Mr. Keen: Mr. Deputy Speaker, Sir, the Minister for Agriculture and Water Resources has spoken a lot of technical language about these piped water schemes but, in any way, he has put his case somehow very ably, although we need something more practical than what he has just said. I, myself, Mr. Deputy Speaker, Sir, being one of the victims from these areas where there is no drop of water, I would like to say just one or two words about water problems in this country. With the failure of the rains you must have all seen the ravages of famine and water difficulties everywhere. I think that with a proper development scheme for water, a lot could be really avoided in future and that we should get our country on proper lines. What is the chief requirement of this country. Our problem really lies not in land, because I think in Kenya we have enough land for 8,000,000 people who are living here or probably if we could get sufficient water, Kenya could feed 40,000,000 people. Now, all we need is to find out how to put these schemes into practice. We have been told by the Minister

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about the difficulty of finances and funds but if £2,000,000 could be found to build a useless base in Kahawa, I am sure that if that £2,000,000 was put to a more practical, useful purpose, a lot of our problems would have been solved.

Now, coming to the problem, Mr. Deputy Speaker, of Masai land, there are very few rivers in the country and this is why we shall actually need a lot of piped water into the plains to feed thousands and thousands of Masai who are starving at the moment for lack of water. Taking first of all the whole of Kajiado, we have been told recently by the Minister that a few dams have been constructed. These, of course, have been of no use because they have dried up and, so far, in the Kajiado District alone the Masai have lost 150,000 head of cattle which reflects the value of £1 million. If only that £1 million could have been spent to get piped water all over Kajiado or in some parts of Kajiado District, we could have avoided that terrible loss. We have also the Usao Kedong river and that is almost dry because all the time the farmers who are on the other side of the river have piped all the water into their farms and there is no water now flowing into the Masai area. I hope, Mr. Speaker, Sir, that when, as the Minister said, we shall soon be taking a flight over Masai country

— I do hope that he will take into very serious consideration the case of getting the Masai water. He has spoken also, Mr. Speaker, about water in various places but he did not mention about the Mara river. I am sure also, Mr. Deputy Speaker, Sir, that a lot of water from the Mara river could be made use of in the very rich country surrounding the area and I wish, Mr. Deputy Speaker, Sir, to request the Minister to avoid all these amendments. Whenever we want something in this House there is always some amendment, an amendment to evade true issues. We do not want him to be evasive, we want him to go straight into the question of piped water all over Kenya.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): All I want is some money.

Mr. Keen: There is always plenty of money. Well, I leave it to you as you are more qualified than I am in that way and I hope, Mr. Deputy Speaker, Sir, that the Minister will change the amendment and support the original Motion.

With these few words I beg to support the original Motion.

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): Mr. Deputy Speaker, Sir, I would like to speak about the Motion and

the amendment. I am not supporting the amendment because I think it has brought a lot of confusion to our minds. In fact it has driven hon. Members of this House away from the Chamber. One great confusion which has been brought about by the Motion as it stands is that it asks for piped water in a country like Kenya. As a result, Sir, you find that one of the hardest problems is brought forward immediately, and that is finance.

There is not enough money to meet the shopping list and, therefore, it is impossible to do this.

I felt right from the beginning that if you wanted to have piped water in Kenya for the whole country, then it will be almost impossible to satisfy the present needs, but what we really need is a move towards a scheme of proper projects for water, and I would like to have the simplest possible projects.

It has been put forward that this country really needs water. That is a fact. It is well known, and everybody accepts that fact. We need more water for irrigation because there is no enough water at present in the country to satisfy the needs of the present population in the country. The population is growing and, therefore, the land for cultivation and occupation is becoming less and less every year. Eyes have been turned towards the Highlands.

[Mr. Deputy Speaker (Mr. Nyagah) left the Chair]

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

Mr. Speaker: I want to make this point quite clear that very soon it will appear to hon. Members in this House, and also to the country, that the Highlands will not be enough for the Africans. The low potential regions have to be developed and what we need is water for irrigation. I, therefore, feel that there should be schemes provided for irrigation which will be cheap and practical.

We have been told, at least by the hon. Minister for Agriculture, that all these schemes for irrigation are expensive. He has given us figures which probably to some of us are understandable, and therefore the whole idea of developing the underdeveloped regions of the low-potential regions will be shelved, just kept for another period; but the longer you keep it the worse the problem of over-population in Kenya becomes. It is definitely a problem and it is growing. We cannot just solve it by opening the Highlands only. You have to develop and irrigate the low-potential regions of Kenya. I, therefore, feel that the low-potential regions, the low-lying regions, should be developed and greater efforts should be made. I

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thought that a committee of experts would investigate the problem of finance, the problem of artesian wells, the problem of canals, and other problems, to develop the region; but it sounds to me as though it is a committee of experts dealing only with engineering work, construction of these pipes, and not more than that. It really has sounded to hon. Members as being just that. This particular Motion has brought confusion to our minds so that it makes us believe that this committee of experts will deal with scientific but technical problems only.

The Government has put forward the financial problems, but you still have one big problem. Have they really used the people in the country to try to follow up or carry out these schemes, to dig the canals for the water towards their own areas in the low-potential regions, which are dry? Are they using all their academic and theoretical arguments, because they look to us rather far-fetched and beyond our understanding. What we must do at present is to use the Africans to develop these regions, using the cheapest possible methods.

Mr. Chokwe: How can you do that in Taita Hills?

The Parliamentary Secretary for Local Government and Lands (Mr. Kilelu): It has a lot to do with piped water.

I feel that instead of planning for piped water from the Tana River to be put in the Tsavo region, there should be a dam dug there. The people should dig the canals themselves and the Government should make the water less expensive. The people should then dig the canals to their own gardens. They could very easily do it in that way, instead of using the most expensive methods. You could dam the water and then have the ordinary canals for the water dug by the people themselves towards their own gardens. The area round some of these rivers is actually fertile, and as a result, by digging these canals towards these gardens, the people will irrigate them, and the farmers in the course of time will see that that is profitable, which can be extended even 20 or 30 miles away from the river. I think that during the olden days the Egyptians did the same sort of thing. The people in Iraq and the Indians, in particular, dug their own canals towards their own plantations. But at the present we are thinking only of a very expensive method of doing that. I think that we should use the cheapest possible methods if the money is not there.

I would like to point out, Sir, that these areas which are neglected can be productive. That is something which could be noticed. The Mizma Springs have a pipe which leads to Mombasa. It is being used at Mackinnon Road, by the Samburu, and those coastal regions have been productive. You have sugar cane grown in those areas, also maize and beans, and I feel that these low-potential areas, if properly irrigated, using the cheapest possible methods, will be the granary of East Africa or the granary of Kenya and not only the high-potential regions. You will find that you will grow maize in these areas, sugar cane, and sugar will be produced.

My argument there is that I want to use the cheapest possible methods. If we use the expensive methods we will find that what we want is not done.

I, therefore, support the amendment, and not the Motion, because that recommends the most expensive methods.

Mr. Mathenge: Mr. Speaker, Sir, I beg to move that the question of the amendment now be put.

The Speaker (Mr. Slade): I think, before doing that, I had better allow Mr. Colo to speak, because I think he has a proposition to make which may affect the voting on this question. After that I will put that the question of the amendment be now put.

Mr. Cole: Mr. Speaker, Sir, I will be brief since we have already discussed this Motion at great length. I would like to thank the hon. Mover for bringing the matter forward to the House in this form, and I feel that before anybody spoke on this matter in the House we and they should have declared an interest since water undoubtedly is the vital issue in all the farming in the country.

Now, Mr. Speaker, Sir, the Government, through the hon. Minister for Agriculture, has, I think, accused us of flying our kite too high. I appreciate the position that Government and ourselves are in today in that we have insufficient capital for grandiose schemes of water development. But unless you plan, and really plan, on the greatest and widest form that you can see in your country, you cannot go on because you are not working towards a true final end result.

Now, Mr. Speaker, Sir, it is right to say that one of the most expensive ways of transporting water is in pipes, but it is nevertheless the most efficient way in most instances. I feel that we should not completely tie ourselves up in enormous capital-cost projects without the fullest

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survey, the fullest investigation, and I would be very disappointed if I felt that we were delaying during the time this survey was being made, in the existing efforts which we are all of us making to develop our water supplies in smaller and more localized methods. There are all kinds of ways, and there is one particular way, which has not been mentioned during the debate, I believe. I believe there are two possible suitable areas for artesian boring in this country, and I do not believe that we have yet gone down deep enough to know what we have in the way of water resources underneath us. Those sort of things could be done without too great an expenditure. The dry areas where I have seen some schemes put in I think have sometimes lacked—and I say this with great diffidence because I have a great deal of respect for the officers in the field who have been responsible—the practical experience of putting some of these waters into practice.

I have seen in my own constituency two things which the practical man might have given assistance in with the officers concerned. One was the place where a borehole had been put in in a very dry area, and too small an outflow pipe and too small a machine employed, and too small a tank. The water was there, but its potential was greater and could have been made more great if the storage capacity had been extended and the pipe itself had been rather bigger.

Another small instance of practical aspects was that I saw a man who was fortunate enough to be able to dig a shallow well and he was extremely proud of the fact that he had a pump on this well and he had been pumping water out of the well for, I think, nearly 18 months into a trough. Now, it was in fact possible to syphon the water out of that well. He could have saved himself an enormous amount of energy.

Those are practical aspects which sometimes the practical man who is brought into discussions can help with.

Now, Mr. Speaker, Sir, I have travelled as others have travelled, in America and elsewhere, and there you do see large tracts of country which are unused or apparently unused, rather like our own ranching areas where you do not see many head of game or cattle because of the distances from water. You see enormous schemes such as the Boulder Dam Scheme and other things which have cost vast quantities of money. I do think that in this country, if you look at the country, our utilization of water is very much on the right lines. You see small dams, you see efforts of the smaller person, the peasant and the farmer, to

produce his own water supply. He can do a very great deal in that way.

Mr. Speaker, Sir, I would conclude my remarks with the fact that we on this side of the House would be prepared to agree to the present proposal in front of the House, "That all words after 'That this Council' be left out of the question," if we may be assured, Mr. Speaker, Sir, that Government will, thereafter, agree to an amendment of the words which they propose to insert, and those would read as follows: "They would then agree to appoint their technical consultant engineers, Sir Alexander Gibb and Partners, to discuss the issue of piped water with the Mover of this Motion with a view to implementing a trial in the Kano Plain: for the early benefit of the unemployed, and the starving people and cattle and game of Kenya, and to give Kenya the lead in the sphere over the other East African territories".

The Speaker (Mr. Slade): Your suggestion to Government, Mr. Cole, is that those words should take the place of the words they are proposing to insert?

Mr. Cole: That is so, Mr. Speaker.

The Minister for Local Government and Lands (Mr. Havelock): On a point of order, Mr. Speaker, is it possible for the hon. Members opposite to move this amendment, which is, in fact, initiating expenditure?

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, my hon. friend on my right, I think, is in order in raising this point. But if I recollect the amendment correctly, it does not necessarily involve any expenditure. First of all, I think it says—Could the hon. Member read the first words, Mr. Speaker? I think it does not necessarily involve expenditure.

Mr. Cole: The words are as follows: "to appoint their technical consulting engineers, Sir Alexander Gibb and Partners, to discuss the issue of piped water with the Mover of this Motion with a view to implementing a trial in the Kano Plain." Mr. Speaker, Sir, I do not see that this asks for the spending of money, since it must remain on their side to decide where the money is spent.

The Minister for Local Government and Lands (Mr. Havelock): Mr. Speaker, may I go back to my point of order, Sir? I am not trying in any way to upset this amendment at all. I am only trying to keep to Standing Orders. If it is an agreed amendment it is merely a matter of moving it from this side of the House.

The Speaker (Mr. Slade): The requirement of the Standing Order that motions involving the expenditure of public funds must have the consent of the Governor signified by a Minister does not, I think, extend to a very general proposition which probably will imply some expenditure in due course. Actually, the only expenditure which might be implied here is the fee of the consultants for one or two talks with the hon. Mover, and I should say that would be too small a matter to come within the Standing Order. I want to make it plain that the amendment is not actually being moved now, of course. It is only being put forward to see Government's attitude. It will be moved formally after we have disposed of the present question.

Mr. L. S. T. Patel: Mr. Speaker, Sir, I have the pleasure to say, having been authorized by the hon. Minister for Agriculture, that the amendment proposed by the hon. Mr. Cole is acceptable to the Government.

Mr. Mathenge: Mr. Speaker, I rose on a point of order. I wanted to move that the question of the amendment be put. I do not know if I am in order, to include within the terms of that amendment the proposition.

The Speaker (Mr. Slade): No, it is only the present question.

Question that the question 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 to be inserted in place thereof be inserted" proposed.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Mr. Speaker, on a point of order, as I understand it, the Government has now accepted the amendment which the hon. Member for Mount Kenya has moved. Has he not moved it?

The Speaker (Mr. Slade): It may be confusing, but all that has happened so far is that Government has said that when this amendment is moved it will be accepted.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, I rise to support the amendment which my hon. friend, the Minister for Agriculture, proposed. I support this amendment, Mr. Speaker, because it will help Kenya to move towards that great desire, that is the desire for piped water or for water to enable the country to get a little more

greenery than we have today. Africa is thirsty, Mr. Speaker, Sir. It is a very thirsty continent indeed. If you look at the map of Africa you find that great expanses of it are dry. Indeed, one of the largest deserts in the world is in Africa today, the Sahara. We here in Kenya are aware of the great expanses of land which are so dry that you cannot grow anything in them. How glorious it would be, Mr. Speaker, if we could check on all our water resources, as he has suggested, either by pipe or some other way, but he has suggested piped water. If we could do this I think our country would develop at a tremendous pace.

The difficulty, however, Mr. Speaker, with the suggestion at the moment, as the hon. Minister for Agriculture has put it, is that the Motion asks this House to appoint a committee to go into this project, to study the ways and means, and so on, of arranging for piped water. Mr. Speaker, Sir, I think we have so much information about this already that at this stage to appoint a committee would be more of a waste of money than not to appoint one. I suggest, therefore, Mr. Speaker, that we first of all exhaust the information we have; we use all this information we have and then move on to the next step. But I support wholeheartedly the idea, the plan, to bring water from Lake Victoria to spread it all over the country to get more greenery in this country. This is a glorious idea, it is a grand idea, because it would help Africa to look much better than it does today.

We need lots of water. If you go out in the country, Mr. Speaker, you find that lots of woman-power, or woman hours, or child hours, are wasted by women or children trudging down to the rivers or springs miles away from their homesteads to bring a few pints or gallons of water on the tops of their heads. Mr. Speaker, this is a pathetic situation that in the twentieth century in this country we should still be using women to bring water for the consumption of the people in the home. It is something we really ought to look into most seriously and terminate at the earliest possible time. This prevents the women from doing their normal housework; it prevents the children going to school; and by carrying water on the tops of their heads I am not a doctor, but I wonder if that does not in fact prevent their growth causing them to be stunted and making them shorter than they should really be.

Mr. Speaker, I suggest that lots of this work could be removed if we could by some means get sufficient money to bring piped water to all these homes.

[The Parliamentary Secretary for Finance and Development]

Sir, I come from an area which is comparatively dry. Whenever I go home it takes me a lot of time to go down to the river to find a place where I can go in it and have a bath. If we could have water piped from the Lake, and brought up to the top of the mountains near the home—for instance, Mr. Speaker, those who are acquainted with the area know that if you could bring water to the top of Wireless Hill in our area, it could flow down free to the whole of Samia. Samia is a very dry part of the world. It is extremely dry. The Minister for Works some time ago came around with large bulldozers, Mr. Speaker, and blocked a few valleys in the hope that water would be caught in the so-called dams, but when the rain came the water passed under the dams and we never saw a drop of it. It is a shame that that happened, so at present we still have the difficulty that there is no water at all. However, Mr. Speaker—

An hon. Member: (Inaudible.)

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, I do not agree with that suggestion, because the present Minister for Works is looking into the matter and I am sure he is going to produce a much better result than the previous Minister for Works.

Mr. Speaker, Sir, we need water in that part of the world. I have recently suggested, and the Minister for Works will bear me out, that we look into the possibilities of artesian wells in that area, and also that piped water be considered from Lake Victoria on to a hill like Wanga Hill or Wireless Hill so that it could flow down by gravity to other parts.

This does support, in a great measure, what my hon. friend, Mr. Howard-Williams, has suggested, that we do bring piped water from Lake Victoria. It would help us considerably, but, Mr. Speaker, since we know a lot about it already, does it really help us to appoint another committee to look into something we already know about? Does it help us, Mr. Speaker, to go on gathering information from the books which we already have in our offices, going on again to study the same thing which has been studied, producing another report?

The Speaker (Mr. Slade): Mr. Okondo, I would remind you that Council has already agreed to leave out all the words concerning that.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Thank you very much, Mr. Speaker, for drawing my attention to

that fact. That is very helpful. I am only saying that my hon. friend, the Minister for Agriculture, has done a wonderful job in presenting this amendment which has helped us to see the situation much more clearly, and I am sure that when this is applied places like Samia will get some water from the pipes which my hon. friend, Mr. Howard-Williams, is thinking about.

Same is an area, Mr. Speaker, which could benefit tremendously from piped water, and I do support this idea.

Now, look at the other areas. I understand that in areas like Machakos, Kitul, today there is not sufficient water and if we could get piped water from the Lake in such areas how helpful it would be. I am sure my friends on the opposite side from Machakos and from Kitul would be very happy to see this done. I am sure they will support me in this.

Mr. Speaker, we have got this information, and we are going to use it. I am glad that the House has seen the sense of the amendment, that when we have this information we will proceed to use it.

Mr. Speaker, Sir, may I ask whether in fact the House has not accepted this afternoon one of the most important things in Kenya, that we should look into and use the information we have to study more and more of our water resources. What has prevented this country from developing at the rate it could? If you look at the large expanses, as I said earlier, you wonder what we could do with a little more water flowing into them. What could we not do with this water flowing into them? Mr. Speaker, we could achieve a great deal. The present land-hunger, the present problem, the difficulty of not having land available in the different areas would almost be solved overnight if we could have more and more of this water flowing into these areas. We know that the Lake is fed by a large number of streams flowing in from different directions and that also these streams have been surveyed to a considerable extent. We know, too, Mr. Speaker, that the Egyptians, the Sudanese and other people, perhaps in Uganda, are rightfully interested in the waters of this Lake, and we know that if we are going to do something with this water we will need the support, very much so, of the people in Uganda, because our portion of the Lake is very small compared with the portions made by the boundaries of Uganda and Tanganyika.

Mr. Speaker, Sir, that is a factor which also must be considered very, very much, because those people are as much affected by lake waters as we are, and it would be a pity if we were to run

[The Parliamentary Secretary for Finance and Development]

over these waters. If we were to develop local scuffles, fracas or little wars just because we want this water to come over to us, Mr. Speaker, Sir, in this I invite the Members of this House to think considerably of our neighbouring territories which take a lot of water from the lake. For instance, our electricity supply, Mr. Speaker, today is geared on the flow of water from the lake. If we reduce the volume of that water we can expect to have the same amount of electricity. This is a problem which has to be looked into. If we reduce this water, will it affect our electricity supply, and thereby cut ourselves down? I heard some time ago when I was away in Ireland, some old chaps asking why their government does not pump water to the top of the hills, let it flow down and make electricity from it! Of course, that sort of thing simply shows how ignorant the person is. If we are going to take water from the lake we must also consider the effect it is going to have on the supply of power in this country. That is one of the things it will affect. If we reduce the water level in the lake, what other things will be affected? Have we considered all this? At present, I do not know whether we have, and I suggest that we go deeper into this question to see how we can use the water from the lake. We already have a lot of information on this and I think we had better go ahead and exhaust that information, then afterwards we can look into other ways of using the water.

With this, Mr. Speaker, I support the amendment as accepted by this House.

Mr. Nyangah: Mr. Speaker, Sir, I thank the hon. Mover of the original Motion for bringing this Motion at this time to this House and for giving the House and the country at large an opportunity to discuss this very important question which might change the whole economy of this country, particularly at this time when the population is increasing and there is unemployment. We might find that if ways and means could be found to implement at least some of the suggestions contained in the debate we might find ourselves in a better position.

Therefore, Mr. Speaker, without using this House with all the details and the suggestions which have been made before, I would like to propose an amendment. My amendment, Sir, is that the question be amended by deleting all words after "Kenya" and substituting the words "and agrees to appoint their technical consultant engineers, Sir Alexander Gibb and Partners, to discuss the issue of piped water with the Mover of this Motion, with a view to implementing a trial

in the Kano Plain; for the early benefit of the unemployed, and the starving people, and cattle, and game of Kenya; and to give Kenya the lead in this sphere over the other East African territories".

Mr. Speaker, I beg to move.

Question of the first part of the amendment to the amendment "That the words to be left out be left out" proposed.

The Speaker (Mr. Slade): The original Motion now stands with only the words "That this Council" left in. It has been proposed, and the question before the Council is that certain words be there inserted. It is now proposed that those words be altered by leaving out all words after the word "Kenya" with a view to inserting certain other words.

Mr. Cole: Mr. Speaker, Sir, I move that the question be now put.

The Speaker (Mr. Slade): I see no objection to putting the question on that.

Question "That the question be now put" put and carried.

Question "That the words of the amendment to the amendment to be left out be left out" put and carried.

Question of the second part of the amendment to the amendment "That the words to be inserted be inserted" proposed.

Mr. Mboya: On a point of order, Mr. Speaker, does the amendment (Inaudible).....

The Speaker (Mr. Slade): If you had been in the Council a little earlier, Mr. Mboya you would have heard the answer to that question.

Mr. Hennis: Mr. Speaker, Sir, I just want to look at the question which we have been debating this afternoon from a rather different angle, and that is, what are the factors which a potential lender, if he is asked to put money into a major irrigation scheme—I am not talking about the small schemes, but the big ones—is going to ask about, because these factors are the real limitations on what we can do and what we cannot do. A number of them have already been mentioned, but I think there are two factors of importance which have not been mentioned.

Of the ones which have been mentioned already, the first one he asks about is, "Is there enough water for the scheme which I am being asked to put my money into?" As we have been told by the Minister for Agriculture, although we have some big rivers we are not in Kenya very well supplied

[Mr. Hennings]

with big rivers. The second question is whether the topography of the area to be irrigated is suitable. As we have already been told, in general the topography of Kenya is not very suitable for irrigated agriculture. If Members think of the major irrigation schemes of the world—and I am talking about the old-fashioned schemes and not the piped schemes—they will realize that it is big flat plains with big rivers running across them which give the most economical irrigation schemes and we have very few of those in Kenya. Probably the biggest areas are the Kano Plains and the Lower Tana.

The third question he will look at is, "What are the crops which are going to be grown, profitable crops, and is the soil suitable for them?" Those are questions which have to be examined in each particular area and a favourable answer obtained.

We then come, Mr. Speaker, to two other factors which have not been mentioned at all: "Is the land secure for the scheme?" and "Are there people who will make a success of it on the land?" Now this, I think, is a very important question for Members of this House to consider. Taking an example, the Kano Plains, for which we have the whole scheme ready, are in the land unit occupied by the Luo tribe. If they were developed for irrigation, I should think that the population of that area would be insufficient to work the land. You would have to have a much larger population on that land. Would the Luo people be prepared to accept the Maragoli, who are extremely thick on the land just next door, in order to work their land? I am merely asking this question because it is a question which—

Mr. Matl: They will.

Mr. Hennings: Well, I am very glad that the hon. Member for Kitui said that they will. This is a question which must be considered. In the same way on the Mwea Plains, although there has been considerable irrigation there and we have, in fact, filled up the land now developed, there is further land available. Will the Embu tribe, in whose district it is, be prepared to accept people from other areas?

Mr. Mboya: What about the people in South Nyanza?

Mr. Hennings: I am asking questions; I am not attempting to answer questions, because the Members of this House will have to answer these questions if they expect people to put a lot of money into irrigation.

There is only one big area I know of where there are no tribal claims, and that is the Lower Tana, away from the river. There are no tribal claims to speak of there, and I think it would be simple.

These questions are important.

Lastly, Mr. Speaker, there is the question of the industry and the skill of the people working on the land. We know that agriculture by irrigation is a very skilled operation. In India, for instance, you have families who have been irrigating their land for generations, and they are skilled irrigators. It is not an easy task and it is certainly a task which needs very hard work. Here, again, any big concern which was asked to put money into irrigation in Kenya would want an assurance that the people who were going to work that scheme were going to work it well and industriously.

Now, I do not mention these factors, Mr. Speaker, as insuperable obstacles. They are not insuperable obstacles. We will certainly get over them. But they are important considerations, and I think every Member of this House if he wants irrigation on a large scale to succeed in Kenya in the future will have to be prepared to give the answers to these questions which I have asked.

I support the amendment, Mr. Speaker.

Mr. Cole: Mr. Speaker, Sir, I move the question be now put.

The Speaker (Mr. Slade): In view of the fact that Government has already indicated agreement to this amendment of the amendment, which is all it is, I will put the question. That does not mean that speakers will be precluded; there will be further opportunities to speak. There are plenty more movements we have to get through before the end of this debate.

Question "That the question be now put" put and carried.

Question of the second part of the amendment to the amendment "That the words to be inserted be inserted" put and carried.

Question proposed "That the words of the amendment as amended be inserted in the original Motion in place of the words left out."

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blondell): Mr. Speaker, I beg to move that the question be now put.

The Speaker (Mr. Slade): Again I see no objection to that. We shall simply get the original Motion into its agreed shape. There will still be scope for speaking.

Question "That the question of the amendment be put" put and carried.

Question "That the words of the amendment as amended be inserted in the original Motion in place of the words left out" put and carried.

Question of the original Motion as amended proposed.

The Minister for Works (Mr. Jamidar): Mr. Speaker, Sir, I would like to start off by stating that I would like to congratulate both the Mover of the original Motion and the hon. Seconder of the Motion for having brought this our problems before this House. If this continues, Sir, that these great intellectual and oratorical powers will in future be utilized for such constructive purposes, then, Sir, I am quite sure there is nothing to worry about in the future and that we need no longer look upon the future of this country with any sense of doom or despair.

Mr. De Souza: We are always constructive on this side; you destroy.

The Minister for Works (Mr. Jamidar): Mr. Speaker, Sir, we are not trying to destroy. What else have we been doing except to be constructive in this whole debate which we have heard, not only this side of the House but the other side.

Mr. Mboya: You have been filibustering, that is all.

The Minister for Works (Mr. Jamidar): I am surprised that the hon. Member says that we are filibustering when he has achieved practically all that he set out to achieve in the beginning of this debate.

Mr. Speaker, Sir, I was very much impressed by that noble phrase and noble thought which the hon. Mover started off with in his speech: that was, "Kenya shall become the granary and abattoir of the world." It is that type of sentiment which I personally value and I think we must look upon it with very great sympathy indeed.

Mr. Mboya: We need better roads.

The Minister for Works (Mr. Jamidar): Better roads also are coming. You have one started already: Thika Road.

The Government has accepted this Motion in its amended form, and there the Government has shown its very great appreciation of these constructive Motions coming from the Opposition.

Mr. Mboya: We are always constructive.

The Minister for Works (Mr. Jamidar): Some of them are, but not all. Since the year 1900, Sir, the total irrigated acreage of the world has nearly tripled. As the second half of the twentieth century was well under way, the total irrigated acreage of the world was about 320 million acres as compared with a total of about 110 million acres in 1900. Much of this expansion has been done since 1950. In Kenya much expansion has similarly been done since the end of the last world war. In a few minutes I will be giving the details of the work which has been done in Kenya in this particular sphere. I will try to relate it to this general trend in the world in the great expansion of water development.

So much work has been done, Sir, although most Members seem to be quite unaware of it. This Government along with the rest of the world has a great deal to be proud of with regard to the work that has been done in this country since the war in the field of water development. Since 1947 my Ministry alone has carried out water development work worth nearly £12 million and this figure does not include work carried out by the Ministry of Agriculture in water development. It does not include the work done by the local authorities with Government loans, and that you will see, Sir, that for a small country like this we have spent enormous sums of money for this type of development; that is a record to be proud of. £3 million of this money was spent on one major scheme alone. That was the piped supply of water from the Mzima Springs to Mombasa. The remaining £7 million has been spent on a variety of schemes all over the country.

In 1946 the Government operated only about 16 piped water supplies which served 27,000 people only. Today, this has gone up to 89 supplies serving 300,000 people. This means that the increase is more than ten-fold in only 15 years. These 89 supplies deliver roughly 6.7 million gallons per day. Whereas in 1946, Sir, there were only two supplies to institutions such as schools, agricultural farms, research stations, prisons, etc., etc., in 1956 there were 95; 61 of these are still operated by my Ministry at the present time. Supplies for the African district councils in the Northern Frontier Province grew from 35 in 1946 to 65 in 1955, since when many of these supplies have been handed over to the African district councils, and my Ministry is still left with about 34 supplies at the present time. Many of these supplies are in the Northern Frontier Province.

With regard to rural water development, we have constructed and brought into operation

[The Minister for Works]

eight rural water pipeline schemes at the approximate cost of £555,000 since September, 1954. These schemes serve some 350,000 acres with about 1,850,000 gallons of water per day. 230 miles of pipes have been laid for these schemes.

We have prepared plans for two more of such schemes and they are likely to cost about £65,000. They will provide some 270,000 gallons per day of piped water to some 46,000 acres of farmland and will more than double the stock-carrying capacity of the land. In addition to the expenditure mentioned, before £400,000 was expended between 1946 and 1958 on the construction of pans, dams, boreholes, et cetera, in the Northern Frontier Province under this scheme.

The hydraulic branch of my Ministry, Sir, is at present working out on behalf of the Kiambu African District Council the design of a major piped water plan for the whole Kiambu District which will bring piped water to a very large acreage of agricultural land and to more than one hundred villages. Applications for funds have already been made for a demonstration project as part of this scheme, and the World Health Organization has shown very keen interest in the implementation of it.

Thus you will see, Sir, that my Ministry and the Government are very much aware of the importance and need for an expansion programme for water development in this country. We realize fully that water development and electricity development are the indices of the prosperity and progress of every country in the world, and it will be this Government's efforts within the limits of the finances available to carry on this work to the best of its ability and to the best of the ability of the people, the experts, the professional people who are employed in the Government.

One word I must say before I sit down in appreciation of the very important and very great services that our staff and our experts have been able to render to this Ministry and to this Government. It is no use criticizing these people always, as you can see that within this limited period of time such a lot of work has in fact been done, and it has been done by the good efforts and offices of these men, and a word of appreciation at this stage for their services I commend to the House is extremely justifiable.

Mr. Odede: Mr. Speaker, Sir, I have wanted to talk on this Motion for a long time, but I do not know why your eyes have not touched upon me. That is why I have come so close!

Mr. Speaker, Sir, the previous speakers have talked a lot about the Kano Plain. I do not think they know much about the Kano Plain, so I am going to tell them what is happening there as well as in the Nile Basin.

The Speaker (Mr. Slade): Mr. Odede, perhaps I should, in fairness, warn you that you may have only about three minutes in which to speak, because someone is likely soon to suggest that the Mover be called upon to reply. I give you that warning.

Mr. Odede: Thank you, Sir. I do not intend to take a long time.

First of all the Kano Plain is a very rich area if it can be developed. We have heard much of the area being irrigated for a very long time, but so far nothing has happened. The Minister for Agriculture has told us that this is due to finance and that is why action has not been taken. However, I would urge the Minister that action should be taken as soon as possible.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): Would the hon. Member mind giving why? It is not quite true to say that nothing has been done. First of all the survey has been completed, which is two volumes as I showed the hon. Member. Secondly, an experimental station has been created. Thirdly, a small experimental irrigation scheme has been started.

Mr. Odede: But I would tell the hon. Minister that the irrigation scheme was discussed as long ago as before I was first detained, eight years ago.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): If you had not been so foolish, it would not have been separated.

Mr. Odede: Mr. Speaker, Sir, in this area a lot of sugar cane can be grown, also cotton, rice and groundnuts, and therefore the Government should get on with the irrigation scheme as soon as possible.

I heard the hon. Deputy Chief Secretary say that if this area is irrigated, would the Luo agree to other tribes coming in. I can tell the hon. Member that the Luo would welcome any African who is prepared to come in provided that there is room. However, I should tell the House that the Luo country is also thickly populated. We have a location called Alego which has over 73,000, and before anyone is allowed to come, surely the people from there should come to the Kano Plain.

[Mr. Odede]

Now, Sir, in these areas usually there is drought. So many cattle die in Kano during a drought. Therefore, as I have said to the Minister, they should get on with a scheme of irrigation as soon as possible.

Now I go to a corner part of Central Nyanza. There is a peninsula which the hon. Minister called Uyoma. This is another area which is very fertile, and for a long time the inhabitants have been asking for water in the area, nothing so far has been done. In this area, too, we can grow cotton, sugar cane, groundnuts and so many other cash crops. So, if something could be done about this area in the next few years, Central Nyanza would be very rich, and that is what the House would like. Central Nyanza to be.

Mr. Speaker, Sir, a small scheme has been thought of in these areas, and I understand that a surveyor has been sent to Uyoma and he has done his job and left it for the Government to do something. So far Government have not done anything. As I understand it, I understand that the scheme needs about £90,000, and the Government asked the Uyoma people to contribute their share. I understood that the Government agreed to give a loan of £25,000 and a grant of £10,000, but asking the inhabitants of the small area to pay the rest, which is over £50,000. That is a heavy burden to the people. The people were willing to carry on and have contributed £1,500 and that is an indication that the people of this area want to help themselves. So I ask the Government, and particularly my hon. friend, the Minister for Agriculture, to see what he can do for this area.

Now, Sir, in this particular area alone last year during a very bad drought, over 10,000 head of cattle died just because of drought. If something cannot be done as soon as possible, before the next drought, plus what the army worms have done to the area, it will be the worst drought, and therefore I would ask the Minister to carry on with the scheme in this area as soon as possible.

Now, Sir, we all know that water is life, water is civilization. Without water we cannot be called civilized people because water means cleanliness and cleanliness is an indication of civilization. Mr. Speaker, it is sometimes very annoying to see women carrying water on their heads for a distance of five or six miles and returning long distances. That is very cruel, and I would urge the House that something should be done for places which are having difficulty in getting water. It has happened that I have lived in the Northern Frontier and I have seen that Uaso Nyiro River should really be used for the benefit

of the Boran and the Somalis, because from that river water can be pumped a short distance so that cattle can get water to drink. I would also say the same of an area called Mukogodo, which also has sometimes been in difficulty over getting water. The people living there sometimes walk long distances with their cattle to get water. Their cattle are the only wealth they have, so if something can be done for those areas under this scheme which we have been talking about it would be a very good thing.

Mr. Speaker, Sir, I beg to support.

The Parliamentary Secretary for Agriculture, Animal Husbandry and Water Resources (Mr. ole Titi): Mr. Speaker, Sir, I rise to support the Motion.

The Speaker (Mr. Slade): I think I should mention, as a future indication, that having seconded an amendment, even formally, an hon. Member cannot speak again, unlike the Seconder of the original Motion.

The Parliamentary Secretary for Agriculture, Animal Husbandry and Water Resources (Mr. ole Titi): I just wish to touch very, very briefly on the Motion which has more or less been approved by the House this afternoon.

Now, Mr. Speaker, the question of water is one of the most essential items in the progress of any country and as such I am delighted to know that hon. Members have removed quite a bit of the usual political bickerings from the debate.

Now, Mr. Speaker, I wish to correct one or two points. First I wish to touch on the point raised by my hon. friend the Member for Machakos, Mr. Mulli, when he went to the extent of trying to imply that the purpose of Government's amendment was to bring confusion. Absolutely nothing of the sort! We on this side of the House, Mr. Speaker, do think very very seriously and we think into the possibility of the Motions and their practicability, and what they imply.

Now, Sir, the other thing also is that one hon. Member went to the extent of trying to say that we have a full right to the waters of Lake Victoria. From the human point of view, Sir, I think that it will be quite unfair and quite unjust to deprive other human beings who rely on the Lake Victoria waters for their livelihood, and I think that if we are to maintain our self-respect as a nation, when we have achieved our independence, then we shall definitely be bound to abide by international agreements.

The same hon. Member went to the extent of trying to suggest that the cost of implementing

[The Parliamentary Secretary for Agriculture, Animal Husbandry and Water Resources] these schemes is immaterial. I completely fail to understand what the hon. Member was trying to tell us. Surely the whole thing, Mr. Speaker, is tied up with finance, with money. We always have plans ready. We know how desperately we need water in all parts of this Colony to help raise the standard of living of our people for the good of all. I think it is very, very deep in all our hearts that we should do everything possible to implement the scheme and to continue to provide water in every part of our country.

This, Sir, is a very important issue. But surely the question of money is important. There is no point in passing a Motion unless we have all tried to go into the ways and means of raising the money to implement it. I would have thought that hon. Members on both sides of the House would have helped tremendously instead of making some loose talk of not trying to get any loan from overseas because it will not be recognized by an independent Kenya. This is all very nonsensical. We want to encourage people to help us so that our people can be better off and so that our country can become one of the prosperous countries in the whole of East Africa if not in the whole of Asia.

Mr. Speaker, I beg to support.

Mr. Alexander: Mr. Speaker, I beg to move that the Mover be now called upon to reply.

The Speaker (Mr. Slade): I do not think that that will be unfair to anybody. I will therefore put the question that the Mover be now called upon to reply.

Question proposed.

The question was put and carried.

Air Commodore Howard-Williams: Mr. Speaker, Sir, I would first of all like to thank hon. Members from both sides of the House for receiving this Motion with favour and for their patience. I would particularly like to thank my Second, who I see is not here now, for his handling of this somewhat technical and detailed subject.

I do not propose, Sir, to go into any particular elaboration of all the issues raised by my colleagues and others in the House, because I have got roughly, 1,000 points which I would like to answer. I would say that under exceptional conditions I could speak for five hours, which would be going a little far.

Therefore, Sir, I propose very briefly to tackle the remarks of my friend the hon. Minister for Agriculture, by saying that I hold the opinions

that he made a very good biased speech which was well prepared for him by experts, and by himself—the kind of experts I have wanted on my committee by the way—and I am left no option but to admire his speech and to congratulate him on his efforts. He and I should perhaps get together to examine the special problems involved. I am grateful to the House for indicating that they are likely to accept the amended Motion and give me the opportunity to talk with the Government consultants. At least, if I have not got a technical committee, I have got the next best thing. I am sorry, Sir, that there is no time to challenge the hon. Minister, because nothing would give me greater pleasure than to tear his heart out over many of the points which he has raised in what I thought was a brilliant dissertation of facts.

Now, Sir, the problem is not one only of piped water, and I hope that the Minister will remember that, because it also implies the use of African co-operatives in what I regard as the right way. It is not just simply piped water, in other words. Notwithstanding, I must say, Sir, that I thought his handling of the argument was a triumph for special pleading.

When I proposed the Motion I told the House that I would and could support my plea with some technical references from technical authorities, and I am going to read, with your permission, and the permission of the House, brief extracts from a letter I received from a Chairman of a very big Company indeed, who wrote to me as follows: "I would be very interested in a scheme of this nature, both from the point of view of developing the land for the future and selling electricity for pumping. I do not think it would be necessary even to go to the World Bank"—he was obviously clearly impressed with my argument—"for a project such as this where your returns come in fairly quickly and where it is not a question of long-term investment. In the meantime you could take it for granted that I am very much interested and would be prepared to come in on the scheme with some friends."

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): I thank the hon. Member for giving way, especially when he has so little time, but is not the writer of that letter a man interested in selling electricity?

Air Commodore Howard-Williams: Yes, Sir, thank God he is, and he has said so in the next letter. A copy of this letter, by the way, is available to the hon. Minister if he suspects its authenticity.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell): I do not at all, but it can be inspected.

Air Commodore Howard-Williams: Agreed, Sir, one would expect that, but what is wrong with that? You would expect him, as a purveyor of electricity and a contractor of considerable eminence, to take an interest in this scheme. What we have got to get at, Sir, is the point of view that we must not mind if other people make money as long as we make a lot. That is the point of view that is basically behind this scheme. If this Colony is going to be scared stiff that someone is going to make £1,000, £10,000, £100,000 or £1,000,000, then we must not mind as long as we make ten times as much.

Now, Sir, on the subject of development, I crave the indulgence again of you and the House to quote a couple of paragraphs of a second letter received from that gentleman because they rather underline the point. "There are two ways of doing it. One is to have a co-operative scheme with groups of farmers and the other is to have one on the Russian system, which is what is known as collective farming. There is not much difference between the collective and the co-operative systems except that everything must go to the State with the collective farming except the profits, and these the farmers are allowed to make, undoubtedly for the purpose of finding out how private enterprise operates against State control."

Now, Sir, another paragraph reads, "The land allocated to individuals, provided they farm it for a period of anything from seven to ten years, and make a success of it, then they are able to acquire the land on very advantageous terms which have been fixed previous, of course, to them putting their effort into it."

As I said, Sir, one of the points I wanted to make was the proper use of the peasant and the proper appropriation of land for his benefit. A copy of this letter, Sir, is available to any hon. Member of the House who would like to see it.

Now, Sir, I have only got two or three things to show the House—two, or three instances—in that I have got a first-class argument against that produced by the Minister. First of all, he mentioned the piped water scheme at Mombasa. Of course, it cost a lot of money the way that Government entered into that scheme, whereas with a pipe made of wood you can carry a vast volume of water without wasting a great deal of money upon pumping the water through the pipe.

The second point I would like to make, Sir, is that East African engineers agree with my

figures. The leading engineer of a very distinguished firm of engineers in East Africa agrees my point that it would cost only £28 to pipe water for a short distance of five miles, and only between £60 and £80 to pipe it much further.

Again, Sir, the hon. Minister said that if we took a lot of water out of Lake Victoria it might conceivably drop the level of the lake by one foot. He made no reference, whatsoever, to the fact that the area to be irrigated would replace all that water. What is far more important, Sir, is that he did not say anything whatsoever about the fact that the lake at Kisumu, although he was of the opinion that the port would not be of any use, has been raised by four feet. Therefore, what about Kisumu now?

My final point concerns international agreements. What I have got to say is that Kenya, Uganda and Tanganyika would not see their people starve for the sake of the people of, shall we say, Egypt. I think that international agreements in the future must take full consideration of the potential and the living capacity of the people who live here locally.

Finally, Sir, if I may, I would like to apologize to my Second, to whom I have already paid a tribute, for this Motion taking up so much of our time, so that he was not able to propose his Motion this evening.

I beg to move.

The question of the original Motion as amended was put and carried.

Resolved accordingly:—

THAT this Council appreciates the efforts which Government has made to develop the water resources of Kenya, and agrees to appoint their technical consultant engineers, Sir Alexander Gibb and Partners, to discuss the issue of piped water with the Mover of this Motion, with a view to implementing a trial in the Kano Plain for the early benefit of the unemployed, and the starving people, and cattle, and game of Kenya; and to give Kenya the lead in this sphere over the other East African territories.

The Speaker (Mr. Slade): It is now time for the interruption of ordinary business and I will call on a Minister to move that this Council do now adjourn.

The Minister for Local Government and Lands (Mr. Havelock): Mr. Speaker, Sir, I beg to move that this Council do now adjourn.

The Minister for Agriculture, Animal Husbandry and Water Resources (Mr. Blundell) seconded.

Question proposed.

ADJOURNMENT MOTION

LOAN AND GUARANTEE COMMITMENTS

Mr. McKenzie: Mr. Speaker, Sir, we on this side of the House have been much perturbed about what we see in the form of rumours in the newspapers and also what we have heard by way of rumours which have been brought back by people from overseas, on the amount of money which our present Government seems to be negotiating not only with the United Kingdom Government but with other foreign investors. It has come to our notice, Mr. Speaker, that the Government has been discussing with an international financial consortium the amount of £3,000,000 to help bolster up a certain building society. We are led to believe that the Government, if they can come to some conclusion in their discussions, are prepared to guarantee this amount of £3,000,000. It has also come to our notice that there is going to be a reshuffle in the amounts of money which the delegation discussed in London just after the Government was formed. With your permission, Mr. Speaker, I would like very quickly to touch on newspaper quotations to substantiate what I have said.

First of all, Mr. Fraser, when he was out here, said that massive injections of financial aid were to be administered by Britain to Kenya to bolster up the Colony's economy, expand its agricultural industry, and to help meet the serious problem of unemployment and the worsening security position. "This aid will be over and above the money already promised to the recent Kenya ministerial delegation in London. Making this known at Government House the Colonial Under-Secretary, Mr. Fraser, . . ." That shows us, Mr. Speaker, that there is going on in the minds of the United Kingdom Government further massive injections of either loan or grant money.

Secondly, we read again in the *East African Standard*: "The Kenya Convention of Associations delegates were amazed in London yesterday at the vast sums of money which Britain is planning to spend in Kenya from now until the end of 1963". This again leads one to believe that there are further moneys being discussed, of which this House has had no notification.

Next, Mr. Speaker, is a reply to a question put down in the House of Commons by Mrs. Barbara Castle, and Mr. Macleod replied as follows: "If you will study the figures you will find that sums

amounting to £10,000,000 as a result of the delegation have been put forward for Kenya's advance." This amount of £10,000,000 is a new figure and is different to that which we have been given notice of in this House by the Leader of Government Business and by the Minister for Finance.

Then, Sir, there was an answer to a question put by Mr. Noel Baker, the reply running as follows: "To this end the Government is supporting settlement schemes involving a substantial injection of money into the land market. This, Mr. Speaker, was a reply given just a matter of a few days ago, again showing that there are in the minds of the United Kingdom people further moneys to come to Kenya. Then, Sir, I read from the *East African Standard* as follows: "An exact analysis of the contributions is not yet known, but an announcement is expected soon." This is discussing German finance. "The likelihood of financial aid for Kenya from Western Germany was exclusively forecast in the *East African Standard* . . ." and so it goes on talking about this money.

Lastly, there is a small piece which appeared in an English newspaper in just the matter of the last day or two, which says, "After Mr. Fraser's reference to massive injections of capital into Kenya there has been a continuing curiosity in London over exactly how much is being pumped into Kenya."

Now, Sir, we also heard the Minister for Agriculture in this House just the other day stating that he could not tell us exactly what amount of money was going into the settlement scheme, but this was being discussed. What I would like to put to Government is that we have had two very, very bad years in Kenya agriculturally, and our main money comes from agriculture, and we are obviously running into one of the worst famine and drought periods this country has ever known. Therefore, whilst fully appreciating that we need finance, Sir, we on this side of the House request Government that they should make no commitments whatsoever on behalf of Kenya until the legislature meets again.

Mr. Speaker, this Government is fast moving either to its downfall or to some other type of government.

Hon. Members: Question!

Mr. McKenzie: Mr. Speaker, it is right and proper for any Government in Kenya, irrespective of whether or not it is this shaky Government, but it is right for any Government to bring into this House any matters appertaining to money which they are going to borrow and

[Mr. McKenzie] for which future Governments are going to have the money to repay not only the loans but the interest. I hope that the Government will give us a guarantee that they will not commit Kenya to any further loan moneys without discussing it in this House.

Mr. Alboya: Mr. Speaker, Sir, it is very easy for hon. Members on the other side to shout "Question!" and so on, but the point is whether the House has the right in this particular case, in matters of committing the country to large loans and commitments which might lead to serious repercussions in the future, to ask that it should be given an opportunity to study any such commitments before they are made.

The position is very clear, Mr. Speaker. Even if this Government had the confidence that it would continue for a long time, the House would still have the right to ask that it should be duly informed in advance when large commitments are being made on the behalf of the people of this country. There is nothing strange, nothing unique, in it at all. I think it was so elementary that Members sitting on the opposite side would have known about it. In our particular situation it is even more so than in other countries or than in a stable situation. The Opposition is asking, Sir, not that no loans at all shall be undertaken but that before commitments are made there will be an opportunity for the country and the House to know what commitments are being made on behalf of the people of this country. What the Opposition is saying, and what we have said, is supported by the evidence produced in the House already, that there have been conflicting statements as to what financial arrangements are being made and what commitments are being entered into. In these circumstances, and in the circumstances of a very rapidly changing political scene, it is absolutely necessary that we know as much as there is to know about any loan or financial commitments which are to be made on our behalf.

We do not want this country to become independent or to have a new Government in which the Colonial Office ceases to have responsibility, and to find ourselves inheriting debts and bankruptcy. I do not know whether Members opposite are happy to see Britain leaving us with debts and bankruptcy. It is all right to go to Britain now and, under the umbrella of the Colonial Secretary and the British Government to pretend that we have the capacity to borrow without limit. But that protection or umbrella lasts only for a certain time and in our case that time is very soon. We cannot therefore be so

unrealistic as to go on borrowing without relating it to our ability later on to be able to pay when that umbrella goes, and it is this which the Opposition is drawing attention to, and I cannot see, Mr. Speaker, that Members on the opposite side should think that this is unreasonable, Sir, to ask of the Government or the political parties sitting on the opposite side. I would have thought that they would have joined with us in ensuring that when independence came it was not a bankruptcy that we were to inherit, or commitments which made our independence a sham. If we are to walk in the shadow of fears that Britain, because she holds the privileged position of having given us the umbrella to borrow money from foreign countries, is going to continue remotely to control us with certain hidden strings.

An hon. Member: Question!

Mr. Alboya: Mr. Speaker, the question is not whether I am on this side of the House or on that side of the House; the question is whether what we are saying is right, and if the Member for Nandi thinks that the only place where right is by sitting on his side then he had better define the matter again.

The Speaker (Mr. Slade): Order! "Honourable" Member!

Mr. Alboya: The hon. Members sitting on that side will not evade the issue by either inviting me to sit on that side or by shouting. The issue will still have to be answered in this context. Are we right to over-commit this country in loans, or not? Are we right to ask that the figures which have been quoted in various places, which clearly show a conflict, should be explained or not? Are we right, Mr. Speaker, in asking that before there is any commitment the people of this country should have a chance to discuss those commitments through their representatives? Those are the issues. You cannot ignore them. You cannot side-step them by merely shouting out irrelevant slogans and by making a noise. You will have to answer them in time, and especially if we find ourselves, indebted to countries which may want to pull certain strings or if we find ourselves inheriting a bankruptcy these very Members sitting opposite and those sitting on this side, will be the persons on whose shoulders this will rest. The responsibility will lie on them to find the answer then and it will not be a laughing matter when that time comes, because Britain will not be there to protect you!

Mr. Speaker, we have seen many countries which have become independent, and many people even now ask whether indeed those countries are truly independent. One of the main

[Mr. Mboya] reasons why there is this lingering doubt as to whether this independence is true and genuine is because it has not been able to translate itself economically into self-sufficiency and into economic independence. The question is whether this Government wants Kenya to become that kind of a country. We are only asking for caution; we are—

Hon. Members: Question!

Mr. Mboya: Mr. Speaker, I am not responsible for the ignorance of the Members on the Government side if they do not know the country. We are only asking that before it is too late these matters should always be borne in mind and full discussion made available for all Members of the House.

The Minister for Finance and Development (Mr. MacKenzie): Mr. Speaker, Sir, it is often said that the Devil quotes scripture, and it is very interesting to find the hon. Members on the other side of the House talking financial responsibility.

I can only think, Sir, that the two hon. gentlemen who have just spoken this evening can hardly have been present during the main Budget Debate when many of their colleagues were heard asking for loans, loans and yet more loans in any quantity.

The hon. Member who has just spoken, Sir, spoke about this country being controlled by hidden strings after independence. I can give him a complete assurance, Sir, that that is a figment of his imagination. In fact, Sir, I cannot imagine that any country with money to lend, having heard the hon. gentleman, and some of his colleagues, speaking on certain occasions, would wish to have themselves tied to him by strings, Sir. I should have thought that they would have been only too happy to cut them.

However, Sir, to come to the substance of the point which has been made by the two hon. gentlemen, the hon. gentleman who spoke first referred to newspaper reports and rumours brought back by people from overseas. I seem to remember, Sir, that some time during April there was a considerable rumour brought back by one hon. Member, who was then Minister for Agriculture, who spoke to the newspapers about the large sums being made available by an international consortium. He was speaking about that at great length to the newspapers and I would, however, advise him, Sir, to bear in mind that rumour is sometimes a lying jade and quite often has an axe to grind.

Therefore, Sir, I think it is probably time that I gave hon. Members opposite a little information about the way in which the Government deals with loans since they seem to have a very scanty knowledge of the responsible way in which the Government approaches this matter.

Sir, one of the things of which the Government is fully aware—and of course I would not expect the hon. Member who spoke last to be aware of this as he has never been a Member of the Government, although I would have expected the hon. Member who spoke first to have realized that every year when going through and dealing with its financial position at the time of the Budget the Government always has in mind the weight of loan charges and whether the taxpayer can afford to meet them. That is something which the Government always has in mind.

Sir, when the Government considers raising loans for development purposes it enters into loan agreements; it raises loans either on the market or through special channels. It has Ordinances which authorize the raising of loans. The reason for this, Sir, is not that the Government, as such, needs authority to borrow, but what it does need is authority to charge the loan charges on the public purse. For that reason all Government borrowing is covered by the authority of Ordinance. Sir, at the present moment there are several Loans Ordinances under which the Government can borrow. The oldest of these is the Development Loan Ordinance No. 6 of 1955 which, together with a previous Ordinance, gave the Government authority to borrow £6,000,000. About £4,250,000 of this has been raised and there is still £1,750,000 of authority there. That is perfectly legal authority for the Government to borrow money. Sir, there is next the Local Loans Ordinance No. 14 of 1955. Under that Ordinance this House has invested Government by law authority to borrow up to £5,000,000 a year. Naturally, Sir, in exercising that authority the Government will look to the possibilities and also to the effects of any borrowing on the public purse. Then, Sir, there is the Consolidated Fund Ordinance, No. 2, which the House passed, I think without a division, quite recently, in which hon. Members of this House, including hon. Members opposite, gave the Government power to borrow on short-term anything up to £20,661,176. That authority, Sir, was granted within the course of the last few weeks. The House, in addition to that, again without any serious opposition, passed an Ordinance authorizing the Government to borrow up to £4,500,000 from the International Bank and the Colonial Development Corporation for the purpose of land settlement schemes. Of course, there again, I

[The Minister for Finance and Development] would not necessarily expect the hon. Member who spoke last to know anything about these schemes, although I do seem to remember that on occasions the hon. Member who spoke first had his name connected with them.

Also, Sir, the Government has authority to borrow £2,000,000 from the International Bank for the development of the lands of high potential. Some of that authority is still outstanding and the Government is borrowing it in order to develop the roads in the areas of high potential and also to re-lead to African farmers. Then, Sir, there is the Loans (United Kingdom Government) Ordinance, 1959, which authorized the Government to borrow £12,000,000 in exchequer loans. So far, Sir, £8,333,000 have been borrowed under that authority and the Government can still raise £3,666,000. The Government, Sir, will exercise that power as and when it is necessary to do so in order to carry on with the development programmes of which this House is fully aware of and which are in many cases continuations of schemes which were approved and brought into being when the hon. Member who keeps trying to interrupt was a Member of the Government.

Mr. McKenzie: I could keep an eye on it then!

The Minister for Finance and Development (Mr. MacKenzie): Finally, Sir, we have the authority of the National Loans Ordinance to renew our existing loan authority.

Sir, the Government will use these authorities as and when it is necessary to do so. But, Sir, the hon. gentleman talks about rumours of future borrowings. Sir, I must again mention to him that before we exercise any borrowing powers not covered by existing law it will be necessary to take legislation in order to permit the charges to become a charge against the Consolidated Fund. If the Government enters into any negotiations to borrow money in excess of the authority already existing, of course the Government will come to this House and will take legislation in order to do so, as the Government has always done in the past this Government will do so in the future.

The Government, Sir, will not—as the hon. gentleman opposite no doubt thinks—just go off to any international financiers and say, “Yes, that is a good idea; let us borrow money.” The Government realizes that it is necessary to have such legislation; then the Government could always arrange for a meeting of this House to be called at short notice and to take the necessary legislation.

Of course, Sir, the House will realize that it would be quite improper of me to discuss any confidential negotiations which may be taking place at this time between the Government and any third party, whether it be another Government or an international finance house, or anything else. Equally, Sir, it would be wrong for the Government to be confirming or denying rumours all the time.

I would mention, Sir, that rumours are very often used as a means of eliciting information to which those who spread the rumours—

Mr. McKenzie: What about the £3,000,000?

The Speaker (Mr. Slade): There are too many interjections, Col. McKenzie.

The Minister for Finance and Development (Mr. MacKenzie): That, Sir, is one of the better-known reasons for rumour, and the Government, Sir, does not propose to fall into the trap of answering rumours merely in order to give hon. gentlemen opposite a little amusement.

Sir, the hon. gentleman speaks about guarantees. Here again the Government acts on authority. As the House will remember, Sir, Mr. Conroy, who was at that time Solicitor-General, in December last year gave the House full information about the Government's position in respect of contracts and guarantees. The position, Sir, is that under these matters the Government has the right to enter into guarantees, and it will exercise that right at any time if it becomes necessary to do so.

Sir, what happens in these cases is that the Government is approached by one of the parties who may want a guarantee; it then considers the proposition, and it either must agree at that stage in principle or it must not agree. At that stage, Sir, having agreed to take action, the Government would normally come to this House and inform it of what it was doing. A recent example for instance was the guarantee to the United Kenya Club.

Obviously, Sir, before giving guarantees the Government has a considerable amount of investigation into the matter which it is asked to guarantee. This is particularly so in those cases where because of urgency or because of the confidential nature of negotiations the House cannot be informed in advance. In all these cases, Sir, the Government seeks security to cover its guarantee before it even agrees in principle to give it. Of course, as the House will realize a guarantee can be of many kinds; it can be a character guarantee or it can be a guarantee on the security of property. Preferably it will be both. I can give the House a complete assurance that if

[The Minister for Finance and Development] the Government in any case were considering a guarantee, or were on the point of giving one, and were in any doubt, either about character or about security of property, of course the Government would come along to this House and would consult them before entering into the guarantee. We like to be quite sure about these things and be quite satisfied that what we are doing is in the public interest. I can assure the hon. gentleman that, whatever may be the idea in either his mind or in that of the other hon. gentleman who spoke, this Government has the interests of the people at heart and will therefore always take the utmost care to see that they are not committed to anything which is not fully in their interests and in respect of which the Government could not be quite certain that it would be able to receive the support of the great majority of thinking men in this House and in this country.

ADJOURNMENT

The Speaker (Mr. Slade): The time allowed for discussion of this matter has now expired and Council is therefore adjourned until tomorrow, Friday, 21st July, at 9 a.m.

The House rose at Seven o'clock p.m.

Friday, 21st July, 1961

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

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

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:—

The Price Control (Sugar) (Amendment) (No. 6) Order, 1961.

Report on the Kenya, Uganda and Tanganyika Post Office Savings Banks for the year 1960.

(By the Temporary Minister for Legal Affairs (Mr. Webb) on behalf of the Minister for Finance and Development)

Immigration Department Annual Report, 1960.

(By the Temporary Minister for Legal Affairs (Mr. Webb) on behalf of the Minister for Defence)

NOTICE OF ADJOURNMENT MOTION

REFUSAL OF PERMITS FOR PUBLIC MEETINGS

The Speaker (Mr. Slade): Before coming on to Order No. 4, I would remind hon. Members that there is a matter to be raised on the adjournment today by Mr. Odiga, that is the matter of refusal of permits for him and Mr. MATHENGE to attend public meetings in certain public places.

COMMITTEE OF SUPPLY

Order for Committee read.

VOTE 21—MINISTRY OF EDUCATION

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR (Minister for Education on 12-7-61)

(Resumption of debate interrupted on 19-7-61)

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, when the House adjourned last week I was talking on this subject saying that, Mr. Speaker, with the little funds we have the Minister for Education perhaps should consider cheaper means of providing school buildings and that in this way, Mr. Speaker, we might stretch a little further our little money and provide more facilities for education. Mr. Speaker, provided the various buildings conform with the required health standards, Mr. Speaker, I do not see why we cannot reduce the cost and provide more of them for our schools. As I said, Mr. Speaker, if we do this our money can go a little further. But there is another

[The Parliamentary Secretary for Finance and Development]: Mr. Speaker, that I would like to raise. Our present needs are particularly for secondary education. That is where today the system has got a bottleneck.

Now, in secondary schools you can raise buildings with temporary materials, but I understand you cannot do so with laboratories. I would say that, perhaps, that would be the exception in my project and that this should be looked into and the Minister tell us what can and what can not be done in this way with temporary materials to extend a little more of our money. Now as we have more of these schools, Mr. Speaker, the Ministry tells us that we have not got the teachers to go round. There are not enough teachers. It is possible, Mr. Speaker, to import some teachers. I understand, Mr. Speaker, that American teachers would be forthcoming in a few hundreds if they are given guarantees of employment for a year or two to teach in secondary schools. I think this is something into which the Ministry of Education should look. I think, too, Mr. Speaker, that it has been looked into it, but due to various factors they have not been able to accept it. Now I would say, Mr. Speaker, that this is something we really ought to look seriously into because our difficulties in providing secondary education are considerably due to two things that (a) we cannot provide the buildings and because the buildings are expensive and so if we can reduce the cost of these buildings, Mr. Speaker, we will go a long way towards meeting that difficulty. The next is that we cannot maintain the schools without revenue. Mr. Speaker, if we can get the teachers who have been trained and who will come and teach in these schools it would take off a part of this burden, especially if these teachers go into teacher training centres, where they will train more of our teachers. It will fill the gap, Mr. Speaker, in that we will have ready trained teachers to carry out the job. We might also ask, Mr. Speaker, for donations of books and things like that from other countries, which might assist in reducing the cost of these schools of the recurrent expenditure. Mr. Speaker, these are lines I am sure the Ministry may have considered already in the past, but at the same time, Mr. Speaker, they are lines along which I would like the Government not to tire. You have got to consider this over and over, the possibility of bringing in teachers from other Commonwealth countries to take over our teacher training centres as well as secondary schools. Today, Mr. Speaker, teacher training centres in this country, I understand, do not provide for teaching Europeans to

take up teaching careers. The policy of the department has been to send Europeans to Europe for teacher training. This is something, Mr. Speaker, I do not quite understand. If we have a teacher training school in Nairobi, why should the teacher attend elsewhere. I suppose, Mr. Speaker, in the past Colonial Government policy has been to separate education for Europeans, Asian and Africans, and this has led to the position in which Europeans cannot go into teacher training centres to be trained. This, Mr. Speaker, I am sure is an unmoderated attitude which has no more place in this country, and should be discontinued. European children who would like to take a teacher training course should be admitted to local schools to enable them to do this because this is their country, they belong here, and if they want to take a teacher training course so as to help us in developing the country, every facility should be given them in this country to do so. Mr. Speaker, this is something that I would not get tired of saying; it is something that I will repeat and I will go on saying if it is not done. I will go on saying it for many years to come. We have got to do this because our difficulty today is that we cannot supply teachers for secondary schools. We cannot build these secondary schools.

Now, Mr. Speaker, there are ways, these ways which I am indicating of reducing the difficulties so that more and more children can have secondary education. Today, if you ask any hon. Member in this House he will tell you that he has received a large number of applications from children in the countryside asking for scholarships to go overseas to study. The reason is that they cannot get secondary place in the schools for their studies, so they think they will go overseas and do their secondary education in those places. This is something which ought to be reduced. I am not saying that children should not go overseas for their studies, but I do think that the money that is spent on them would be very much better spent if it were to be spent for higher education overseas, because we should be able to provide secondary education here so that more and more children go overseas, more young men and women go overseas for higher education rather than for secondary.

But because we cannot provide secondary education here, Mr. Speaker, we have got at the same time to make facilities available for these children to go overseas because we do not provide it here. It is necessary; it is important, and that is why I am saying, Mr. Speaker, that the Minister should look seriously into this problem of secondary education and expand facilities in this sphere. I am told by the Minister in this House recently

[The Parliamentary Secretary for Finance and Development]

that he has raised the school fees in secondary schools to supplant, he has argued, Mr. Speaker, quite justifiably and rightly, that unless he does that he cannot maintain the present services. That is very good, Mr. Speaker, that he should endeavour to maintain the present services. I do hope as we carry on, as we develop, that these school fees for secondary education will be gradually reduced to something that may, perhaps, in the years come to nil. It is a pity, indeed, that a child who is brainy, who is intelligent, who may have all the talents of a great scientist or a great leader or a great teacher is excluded from going to school just because he cannot raise Sh. 200 a year. This is a pity, Mr. Speaker, because it cuts out some very, very good brains. It is not at all true that brains come only from those families with a lot of money. But as the Minister explained we at the present moment are unable to do anything in this respect, because the costs of education are so high and, unfortunately, the parents have to be called upon to support this. But, I repeat, Mr. Speaker, this can partially be met by getting assistance from other countries and I understand that a number of countries, Commonwealth countries, English-speaking countries, as well as other countries, which are prepared to send us teachers, and also perhaps prepared to send us other materials to assist in the education of this country. I do hope that this aspect of our education will be thoroughly examined and every opportunity taken to provide more and more education for the children.

The other day, Mr. Speaker, the Minister gave a very small percentage of children who have finished primary and managed to go to secondary schools. I do hope that a project, a plan will be worked out by the Ministry of Education to progressively increase this percentage so that in the next five years or so we should have a large number of children, if not 100 per cent, but some very good figure approaching that level, going to secondary schools. This is very important because we make our children, everybody of us knows unless our children get education, they have not got a chance, they do not have a hope in the future. Today in the town, you go around the towns, the offices in the towns, and you find that it is young children who have Kenya African Preliminary Education standard that are employed as office messengers. Unless you can talk English you do not get a job as an office boy. If you cannot speak English you are told "Hakuna kazi". Why? Because you will not be able to understand instructions, or read a slip of paper directing this to be sent to the next office.

When I was younger I used to see very illiterate people doing this job of office messengers or office boy, but today the standard has risen and it is the Kenya African Preliminary Examination man who must do this job of office messenger.

Mr. Speaker, this is a situation which indicates that in future, perhaps, you will get people with School Certificate doing the office messenger's job, and it is a thing which is pretty serious unless we can provide good standard of education for the children and give them professions, well their future is very dim indeed. This is a thing we must spend a lot of money on because it is the only way to build a nation. A nation that has not got educated people; a nation that has not got healthy people, that nation is sinking, is dying; in a very short while that nation will disappear. It will not exist. I, therefore, repeat and emphasize, Mr. Speaker, that every effort should be put into this by the Ministry of Education, and I am quite confident that my colleague is very confident and quite capable of doing this, that he will look seriously into this matter and concentrate on expanding in the next two or three years secondary school facilities to a much greater level than exists today. There are very few secondary schools in this country and think right now as I am speaking we need a good 12 or 15 new secondary schools spread out in the districts. It was a pity that a year ago I heard a very lamentable story at Kakamega Secondary School. The headmaster had over 300 applicants all qualified, very well qualified indeed, to join secondary school. Now, Mr. Speaker, the headmaster had only 60 places to provide out of the 300. What would the poor man do. All the 300 children were equally qualified to go to secondary school. Well, the poor man thought of the best way was to put all the 300 names in a hat and pull out the first 60. What was the fate, the lot of the other 240. They all went away very crestfallen, not having a place to go to, and this was a very serious situation. It was a pity that these children could not go to any place, and I think that the majority of those 240 boys have not found a place to go to and have gone back to the countryside having nothing at all to do. Some of them, perhaps, today are roaming the streets of the towns and looking for employment and everywhere they are told "Hakuna kazi". I would, therefore, emphasize, Mr. Speaker, that we need more secondary education, but to do this we need more money because we cannot provide this education without the ability to maintain the schools, pay the teachers' salaries. All this needs money and, Mr. Speaker, I call upon everybody in this country to help us in this project, help us in this work, of expanding secondary education

[The Parliamentary Secretary for Finance and Development]

so that we can spend more and more of our money on higher education overseas.

Looking westwards, to our own area, we have not got a secondary school in this place and for years and years, Mr. Speaker. I have been asking for a secondary school to be built at a place called Namakoli, which is very central for Samia and Bunyala Locations. Nothing has so far been done, and I hope that when the Minister comes to reply, he will be in a position to tell me that he has planned or looked into this, and a secondary school will be forthcoming at Namakoli in the near future. Mr. Speaker, I hope the Minister will do this because if he does not, I will raise it again sometime later, perhaps next year, perhaps at some later date this year. Mr. Speaker, I insist that this place needs a secondary school. Why? There are lots of children in that place, about 40,000 children that cannot go to secondary school; some of them have travelled a long distance to the eastern section of the district for secondary education and it is so far away and without transport it makes it very difficult for the children to make the journey.

So, Mr. Speaker, I repeat that the Minister should look into this and find out why so far it has been impossible for Government to build a secondary school at Namakoli. If it is question of funds we should be told and if it is not possible to put one up, I would say would the Minister be prepared to give some subsidy to the missions which would be prepared to erect a secondary school at Namakoli. This I would very much like to know, Mr. Speaker, because children cannot go to secondary school. I had to go home recently to West Nyanza to go and bring my own brother here to town because there is no secondary school in the place. Now this is not desirable because I have uprooted him away from his parents, I have uprooted him away from his area, and he is going to have a complete reorientation of life. He will have to train himself to city life before he can participate fully in the educational level of the country. I say it is not a very bad thing to do that, to bring someone into the town and to make him see many motor-cars a day, many radio sets and things like that. That in itself, Mr. Speaker, but surely that child will be much better off with his father and mother next to him, going to school and coming back, and telling his father what he has been learning there. He will have far more confidence in the world and have far more faith in the world if he is going to school and he is able to come back to his parents.

I ask therefore, Mr. Speaker, that the Minister look into the possibilities of putting up a school at Namakoli. If it cannot be done this year, can the Minister say whether it would be possible in the next financial year or some other time and as I have said will be consider requesting the missions, if he cannot provide the school, for the missions to build a school and he grant a subsidy to this place. Mr. Speaker, Sir, if we look over to the other district in South Nyanza you will find that the situation is very much the same. Right from Kisii to the Lake shore and West Konyango there is no secondary school there. Of course, again it is a question of money, but there are missions that are prepared to do this job. Can we not discuss this with the missions to provide a school somewhere between Kisii and West Konyango for these people. The place looks very deserted, granted perhaps the roads are very poor, but again Mr. Speaker, there are agencies which can come forward and help us build these schools. Has the Minister considered every way, every sphere, out of this situation. Mr. Speaker, I do think a lot more has to be done in this field of education than we are doing at present. We are concentrating a great deal on agriculture and I think we need twice as much, three times as much, of emphasis today on education as we put on all other things put together. Granted, the Minister will tell me that the Ministry of Finance to which I belong is providing merely a quarter of our Budget towards education. Mr. Speaker, in fact this is not enough. We must get not only a quarter of our Budget for education; we must get other agencies outside, other agencies in other countries to help us if our Budget cannot be cut any deeper in this field. These agencies, Mr. Speaker, will be prepared to help us and I do hope that prejudices and the requirements and preferences of different countries will not be a factor when we think of education in this country. For instance, we can teach our girls how to do typewriting and other things with the assistance of Swedes or some other people. I mean the typewriter is a typewriter, whether it is a Swedish typewriter or an English typewriter, a Swedish girl can teach our girls how to typewrite just as well as she may not teach them English. Pitmans' shorthand because she does not know this, but surely she can teach them copy-typing, and many other things like this can be done by other countries apart from English-speaking countries which are prepared to give us assistance, Mr. Speaker.

I end up my talk this morning, Mr. Speaker, by congratulating the Minister for all he has done to provide us with more education in the secondary sphere and I also congratulate him,

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Mr. Speaker, on having taken the steps he has taken in improving education to the extent he has done, and I hear certain hon. Members on the opposite side saying he has improved nothing. It is only recently that we were told in this House how many more secondary schools are projected. Do you mean to tell me, Mr. Speaker, that when new secondary schools are projected, it is not improvement. It requires an upturned mind to think that two more schools where there was none is not an improvement. I hear, too, somebody saying, "How many for Masai?". Are we, Mr. Speaker, not providing education there? In fact, there is a school right now at Ngong. Is that not in Masai land? Mr. Speaker, Sir, I hope the hon. Members got all their information first before interjecting in a manner which shows so glaringly the degree of their ignorance of what is happening in the country. They must know more; they should educate themselves more before they interrupt or say things which are completely out of line with what is happening in the country. The Minister has demonstrated very clearly in this House that education has improved this year much better than it was last year: that this Government, Mr. Speaker, has done far more than previous Governments in improving education, and this Government has been most progressive in providing these services. We will continue to provide more and more of these services because we are convinced that we can do it and we are doing it and the country will benefit to the maximum in this respect, Mr. Speaker. These are facts which I will continue to repeat. An hon. Member on the opposite side interjects that I should make up my mind where I want to stand. Mr. Speaker I stand very firmly on this side of the House. I stand here very firmly because I know, Mr. Speaker that this is the best way to get us everything we want. That is why, Mr. Speaker, I stand here very firmly and will continue to stand here firmly against any hopes which may be flying in the air, I stand here and I repeat I will stand on this side of the House for ever.

Mr. Speaker, Sir, if the hon. gentlemen do not understand the expression in the English language, I had better tell them. Forever simply means that as long as this House goes. Mr. Speaker, Sir, that is all that is meant by the word forever. Of course if you go and interpret it in a childish way that forever means eternally, then your knowledge of English is rather limited. The fact is that we are going to stay here and we are going to provide education.

The Speaker (Mr. Slade): Mr. Okondo, you should come back to the subject of education.

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Thank you very much, Mr. Speaker for your ruling. I am still talking and congratulating my friend the hon. Minister for Education in the very splendid job he has done this year in providing more secondary schools and Mr. Speaker, making it possible for the discontinuance of the old-fashioned scheme of education that was brought into this country by the report that has been known as the Beecher Report. That, Mr. Speaker, has been terminated. We are now moving into a system of education that will provide education, primary education for seven solid years and after that. Mr. Speaker, we hope we will be in a position to provide more of these secondary schools such as the one I have been mentioning at Niamakoli which is desirable and many other places. I was told, too, that there are projects to build a secondary school in Masailand and the hon. gentleman in the Opposition has not been very cooperative in making this scheme go through by various ways.

Mr. Speaker, I would ask them to assist in this. I sent out a circular letter recently asking whether there would be Members prepared to discuss both the school and hospital at Kilgoris. I was told by a number of the people when I asked "Oh, that site is too far, it is near Kisii, it has got to be brought somewhere in the heart of Masai." Now, I understand that Kilgoris is a place which has a considerable number of Masai, and that the biggest population of Masai is around Kilgoris, and that this small area has got a very big population indeed, and that if that is the area, it is where a school, a secondary school should be built for the Masai. Now, I am told "No, no, no. This school should be somewhere near Kajjido" because the hon. Members want the schools to be near their homes. Now, Mr. Speaker, we are providing for the country at large, not for certain individual schools and when we mention places like this it is because the survey shows that this is the place where the schools should be built, not because a particular person wants a school to be next door to his home. Mr. Speaker, Sir, I say it is very important—

An hon. Member: (Inaudible.)

The Parliamentary Secretary for Finance and Development (Mr. Okondo): Mr. Speaker, Sir, as you ruled rightly, there was no point of order at all. It was just a question of interruption and I do hope, Mr. Speaker, that this will not happen any more. I still say that we have got those

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schools in those places which are central from a population point of view, not merely because they happen to be in certain areas, and that is why we insist that the population centres should get the schools first and get them quickly, and the hon. Minister for Education has just done another thing that indicates that we are going to get schools in such centres. I do not understand why some people should think that when the Minister takes such a step he is not doing the right thing, when in fact he is providing facilities for education. If only they would join us in producing plans such as the one I have produced in this House, not a very complete one, but nevertheless, indicating the place where schools should be, what should be done to improve education, then, Mr. Speaker, we will go ahead very quickly. Rather than come into this House, Mr. Speaker, and complain and criticize, negatively, destructively, this House will benefit considerably and the Ministry of Education will benefit considerably if everybody joined hands in a non-party, non-political line to suggest things, suggest means and ways whereby our educational system can be improved; whereby the gap in secondary education can be bridged because this is a sphere in which we have utmost difficulty, and I ask everybody, Mr. Speaker, to assist in providing these services in helping the Government to provide more of these services.

Mr. Gichuru: Mr. Speaker, Sir, I have just a few observations to make as regards primary education. We did not get a comprehensive review from the Minister when he addressed us. There were experiments that have been going on in Nairobi, and we are very interested to know whether this experiment has been successful for compulsory education. It was the intention at one time of the Ministry that these experiments would be extended to larger towns and I would like to ask here, too, that in the densely populated areas experiments of this nature would be useful. I entirely agree it would be financially impossible to make this compulsory education free, but I believe that the experiments are worth the while. I have always maintained that the problem of our primary schools was one of teachers, but I was very glad to hear when the Minister announced that we have plenty of teachers, T3's, for every school. This is, indeed, very good news, because I was going to suggest that the proposed extension from two-year to three-year courses should be shelved for the time being. I have been teaching in a teacher training school for T3 and I believe two years for the time being is adequate because if we extend the two-year period to three,

I am quite sure that happy position that was reported to us of having enough T3's in all schools, if this is true, would not be maintained. The proposed period of seven years for the primary and intermediate schools is a very welcome one. I understand that in some areas people of this seven-year programme. As the hon. Member for Fort Hall, Dr. Kiano, said yesterday, these children would lose nothing because, being the first and second years, the children used to do only half a day, and now they can have a full day. I believe that as soon as they get rid of the common entrance, the end of Standard IV, the better for the whole country. It is a great bother to the parents, and many of us have experienced this, that when a child comes to the fourth year and then he has to leave school, roughly at the age of 10 or 11, the parents really do not know what to do with them, and we hope that the common entrance will be done away with as soon as possible. Indeed, we would like the schools to hear that it is abolished completely now.

The teaching of the higher section of the intermediate schools calls for better qualified teachers than the T3's and the problem that we have today is that many young men qualify for their School Certificate do not want to go into the teaching profession because of these terms of service. The salaries are not attractive enough and there is great difference between an African T21 and an Asian with the same qualification. We must make these terms as attractive as possible if we are going to attract these young men into the teaching profession, which we must. And then there are old relics, such as the code of discipline, which is attached to the terms of service for teachers. This code of discipline, Sir, condemns the teachers long before they enter the profession, and it is a great irritation to the African teachers and it should be done away with. There is the question of leave for teachers. Well, I have taught for some 20 years and, therefore, I am talking about this one purely from experience, that it is necessary to have leave so that a teacher, after teaching for so long, could have at least one term off school. I understand, Sir, that there is a scheme, a teacher exchange scheme, whereby teachers would be exchanged within the Commonwealth, and this scheme I understand is operating in Britain at the moment. It would be a very good idea if the Minister could take note and contact the organizers of this scheme so that a number of our teachers could go to Britain and teach there and gain experience while teachers in Britain would also come and take their places here. An exchange of this kind would definitely help and would help the

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teachers themselves to improve and know what other places in the Commonwealth are doing. While still reviewing the primary and intermediate schools, I would also like to suggest that the health of the children should be gone into a little more, particularly the dental care. I understand there are quite a number of private dentists in various places, particularly here in Nairobi who would be prepared to offer their services free to visit schools and look at the children's teeth. I particularly like to emphasize this because I know what it is to have dental trouble, and I am quite sure many children would be saved the trouble I had to undergo if the teeth get proper care right at the very beginning in the early formative years.

I have only one comment to make on the secondary schools, and that is that I agree entirely with all those who have advocated that we do not have enough and should have many more. I feel personally that the solution here is one of providing the country with day secondary schools particularly again in areas with heavy populations, in remote places of course, it is impossible. You must continue to have boarding schools. But day secondary schools will be within our reach because I am sure the country cannot bear the cost of having boarding schools all over. Now, the question of day secondary schools at the moment is difficult because children find it difficult to find accommodation. They cannot find homes in which to live. The distances from which they come is sometimes very long. This again is my personal experience having taught for a term in a day secondary school in Githunguri, some of the boys had to come very early, rainy mornings and then they had to go home in the evenings; some cannot afford a bicycle and they have to go on foot, and I am quite sure that by the time they get home, they do not have time to do their prep. as well as those who come from nearer distances. Therefore the problem here is one of providing a hostel. Taking this particular secondary school at Githunguri, the problem here is that the children who attended that school, the majority of them do not come from that particular location; they come from all over the district, and the Education Department insists that the parents must provide a building, and it is a very big problem, and I feel here that if we are to encourage day schools at the moment, before we could have enough of them so that all children could conveniently walk to school, that the Government ought to assist in providing hostels in these schools. The question of food and so on, I am quite sure, the parents for the time being will look after. But the provision of a building is very, very

important. It is expensive, but I am quite sure the local people would assist if they could get a substantial grant from the Central Government. I believe sincerely that the solution to our secondary schools is day secondary schools. Many have talked about the technical and trade schools; we need some more, many of our boys who leave school in standard eight have nothing to do and it would be a great pity if many of them each year leave school and cannot lead themselves into any kind of employment. I believe that technical and trade schools could be improved, and I think also the Government should encourage and assist in the training within industry schemes because here again these boys will find a way of acquiring a trade.

As for the administration, I do not feel that I would like to go further into it. The localization is not going fast enough, but in education, particularly in the schools, I do not think it is so much a question of localization. I think here we have got to be careful; it is a question of having the best man for the job. As for integration, I think for the Minister to tell us that there is an old girl who was admitted this year at Limuru High School and an old boy at another school, and things of that kind, is not satisfactory at all. I understand there is plenty of room, plenty of vacancies in the Duke of York School, for instance. The rumour I heard is that there are about 40 spaces there, not filled, why not make full use of these 40 places, then Mr. Okondo's 240 students would find room if all these places were open to the qualified students. I am not saying that everyone who goes through standard eight should be admitted, but definitely many of these boys cannot find room in our existing purely African secondary schools and I do not see why State-aided schools should have vacancies, as many as 40 places unfilled just because it is set aside as a European school.

Mr. Speaker, Sir, for higher education, I feel that with our limited resources we should make sure that we develop our local college, local university, so that as many of our boys could go to our local schools, and that would save us a lot of money and then it is only the special students that the government would have to find money for to send to the best schools in other countries so that they can come back as specialists, as lecturers in our universities and as teachers in our secondary schools. I am quite sure that money used in this way now will be an asset to us in the future and, Mr. Speaker, Sir, with these few words, I would like to add that we hear much more of bigger and more elaborate schemes for education than we were given by the Minister. Everybody blames the

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Beecher Report. We would like to be provided for in the Ngala Report on Education embracing a very ambitious programme instead of just blaming the Beecher Report which did quite a few things and I hope that in his reply, he will give us a scheme whereby our education would be greatly improved.

Mr. Sagoo: Mr. Speaker, Sir, in going through the educational vote I note with satisfaction that there has been an increase in the provision of bursaries and scholarships for higher education. Although this increase is by no means large enough, but I do feel that it is a step in the right direction, for Sir, as the day of Independence draws nearer the need for qualified and trained people becomes greater. There is, however, one point which is causing me great concern and that is the failure of some of our scholars to return to this country. Sir, they are Kenya born and they belong to all races. They have been sent there by the Kenya taxpayer's money. I think, Sir, it is a betrayal of the country which has given them its birth and if I could raise my voice loud enough, I would like to tell these deserters whoever they are, whatever they are, and wherever they are, come back for this is Kenya's hour of need.

Now, Sir, perhaps the Ministry of Legal Affairs could help us in this dilemma. I notice that as far as educational loans are concerned we avoided adequate safeguards in the form of securities and bonds. I think something on similar lines should be enacted to make sure that our bursars do return to this country after their training. The situation, Sir, at the moment is not serious enough, but if it goes unchecked it will reach alarming proportions. Our benefactors in the United Kingdom and in the United States of America are already getting a little worried about it. For, Sir, those students who stay behind cause both economic as well as social problems such as housing, unemployment amongst its own nationals and above all matrimony, with all its consequences. They are therefore seriously thinking if it would not be right to establish these institutions of secondary and higher education in this country. They could be assisted by grants for the buildings, equipment, text books and, above all, qualified teachers.

Mr. Speaker, Sir, it seems to me that my voice was loud enough when I said "come back for this is Kenya's hour of need," and I welcome the hon. Member on the Government Bench. The proposition which is being suggested would render the air lifts, to my mind, completely unnecessary though I would like to say at this stage

that it is a splendid effort and even more I would like to congratulate the donors who have made these air lifts possible. Nevertheless, Sir, I cannot look upon this but as a sad programme and I think, Sir, that if we could have our institutions established here for higher and secondary education then we would only need the practical training to be catered for overseas, and I would like here to emphasize once again that the Minister should take up very seriously with the authorities in the United Kingdom, through the good offices of Colonial students, and through the good offices of the ICA in the USA, to provide greater facilities for practical training so that we can have fully fledged, practical people to meet our demands for the day of our Independence. Mr. Speaker, Sir, formerly our bursaries committees used to be in three racial compartments. During the last few years we have had one Bursaries Board for the entire Colony. People thought, and argued that it would not work, and I would like to say this from the Floor of the House that that Board is working with perfect harmony and with perfect energy. Sir, the credit for this largely goes to the chairman of that Bursaries Board who, incidentally happens to be also the chairman of the Civil Service Commission, which is a very fine arrangement for on the one hand he knows the needs of our country as far as trained people are concerned, and on the other hand he encourages our scholars to fulfill and qualify for those needs. Sir, the credit also goes to the members of that body for their constructive thinking and for the common good that they are doing. Sir, if that is true of the Bursaries Board, why could it not be applied to the Advisory Councils of the country. Sir, in this advanced stage of our development I think it is not right to my way of thinking that we should have three different Advisory Boards in three racial compartments. I have been a member of the Advisory Council on Asian Education for the last 12 years and I would like to say that in the past it has done good work. Sir, it has outlived its utility. The time has come when we should do away with it and in fact that that could be true of the Asian Advisory Board, I am equally sure that it would be true of the European and the African Advisory Boards. I would urge upon the Government and upon the Minister if he would not consider setting up one Advisory Board for the entire education of the Colony.

Now, Sir, I think that the Minister during the course of his speech had something of that nature in his mind when he suggested that there ought to be a committee elected to go into the whole problem of education. I welcome that, Sir, and I would like to suggest that its terms

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should be very wide. They should cover primary, secondary and higher education, and technical and vocational training, and teacher training, aided schools, hostels, school fees, a unified service for teachers, boards of governors, and the whole gambit of education. I think its composition should be like the proverbial bikini, large enough to cover the subject.

Having said all that I would like, before I sit down, to tell the hon. Member to get on with the job and to constitute the committee without any delay. If possible, Sir, the report of that committee should be made available to this House by the next session so that its recommendations can be implemented from 1st January, 1962, because I do feel, Sir, that as the day of our independence draws near we have very little time left to meet the requirements of that great day. It is a formidable task. I do see that. But I have confidence and faith that we will be able to meet up to it.

Mr. Speaker. Sir, I beg to support.

Mr. Mboya: Mr. Speaker, Sir, I intervene in the debate merely to make some observations as my friends on this side of the House have dealt with many of the points that arise from both the technical and professional aspects regarding education. The House is indeed saturated with professional teachers and educationists and it would be presumptuous of me, perhaps the odd man out, to try to teach them something about their own profession.

I do, however, want to say a few things, perhaps with the approach of the layman, on some aspects of the educational system as such and the requirements and adequacy of education as a whole.

Firstly, Sir, the whole country is very concerned about the proposed increase in school fees, and whatever may be said in terms of the need for more money, the need to support a much more extensive programme, I think it is necessary always to relate that to the capacity of the people to pay. Sir, is this the time when the Minister can truly say that our people are in a better position to pay increased school fees? Is it not a fact, Mr. Speaker, that every day one picks up the papers, one reads of the threats to our economy, of the erosion of our economy, of the increasing unemployment, of the increasing anxiety in the rural areas and in the urban areas, and of the scarcity of money generally. Faced with that position, Mr. Speaker, can the Minister truly and honestly say that an increase in school fees at this time is justified and can be met by the people? All these years we have been demand-

ing and hoping that there would be a movement towards free and compulsory education for at least seven or eight years for all our children. We have been impressing on the Government the problem and the hardships suffered by our people who cannot find the money with which to send their children to school. We have been impressing on the Government the growing menace or danger of more and more children who are turned out of schools at a premature age on account of being unable to find the funds with which to pay their school fees. When all this is going on the Government chooses to increase the school fees rather than to introduce free education, if not compulsory, immediately. In spite of all this, Sir, the Government chooses to increase the school fees instead of reducing the school fees as would be consistent with the general economic situation in the country. One is bound to ask—

The Speaker (Mr. Slade): Other hon. Members have covered this ground, you know.

Mr. Mboya: I appreciate that, Mr. Speaker.

One would ask just what is going to be the position, if I may conclude on this particular point, of those children who will find it impossible to go to school as a result of this increase in school fees.

I am not sure whether this other point has been covered, Mr. Speaker, but if not then perhaps I ought to mention it, but in the actual practice of paying school fees too often the European Community, and, to a certain extent, the Asian Community, can get away without paying school fees, but when it comes to African children you have to appear at school with the money or else the child is out. With the other communities it is possible to go to school on credit and have it written off as a bad debt later on; so when this kind of entry takes place the victim is going to be the African child and the African is the lowest income group in the country. It is they who will be turned out of school; it is they whose school fees cannot be written off. We would like, Mr. Speaker, when the Minister replies, to be told exactly what arrangements are going to be made for African children this time and whether they will be treated on exactly the same basis, that if they are already in school they will not be turned out; let the debt be written off as is the case with the Europeans and others.

Now, Mr. Speaker, I want to say a few words on overseas education. My main point is firstly on the Government's overseas education programme. It is my feeling that our country is not

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facing up to this with the necessary speed and realism that it demands. We are merely having a token programme which does not help meet the demands of the future. The future of this country, especially on the threshold of independence, and new responsibilities, requires a much bigger programme than we have today. We need a bold and deliberate programme of training overseas in various fields. It is true that again we will be told that there is no money, but, Sir, this country is preparing itself for the day of its destiny, and to do so adequately it must have the personnel with which it will undertake the new responsibilities. In a state of emergency we find funds for that emergency, and I submit that our forthcoming independence is like a state of emergency, and that emergency funds ought to be found for this programme of overseas education. Some time back a ministerial delegation went to Britain and we were told that part of the funds they were going to bring back with them would go, in for the expansion of the educational programme. We would like to know just how much of these funds has gone into an expanded education programme and what part of the education programme has been expanded by those funds. Is it in the elementary, intermediate, or secondary education, or is it in the high schools and overseas education? We would like to know how much, if any, of the new funds will be used to meet the immediate and urgent need for expanded overseas training and the equipping of our people for the responsibilities which lie ahead. We feel very strongly, Mr. Speaker, that unless there is a bold and deliberate programme when independence comes, when the time comes for us to take on new responsibilities, we will find ourselves a Government in name with ministers sitting on the front bench but with all the important aspects of that government in the hands of foreign technicians. That would be independence but not independence in reality. We want it to be translated into reality by our own people taking on the role of technicians and advisers and professional persons. We do not claim that this can be done overnight, but we believe that unless a bold start is made we cannot ever be able to meet the challenge. When the Minister replies we would like to know exactly what is being done with this aim in view, what exactly is being done now to begin to prepare the country for its very near responsibilities.

Too often we have been told by colonial people that the purpose, goal and aim of colonialism is to train us for that day. We have always held and submitted that so far as we are concerned

this has never been the case in Kenya. Now perhaps, when colonialism knows that it is on the way out, it is time we sat down and found out exactly what training is going on.

Mr. Speaker, I want to say one or two words on private overseas education schemes. I want to say this, firstly, because I believe that it is playing an important part in the expansion of educational opportunities for our people and, secondly, because I happen to have been closely associated with it and know some of the criticisms which have been levelled at it by Members in this House and the public in general. I do want to clarify some of the issues and at least invite those who have positive, constructive suggestions to come forward and let us work out a bigger and more effective programme. Mr. Speaker, there are many students in Britain, in India, in parts of Europe, in the Americas, who have gone there by private means or through private agencies. These students should not be regarded as outcasts or isolated and unnecessarily concerned with our education programme. I submit that these students have done a commendable thing to have sought education on their own, we knowing full well, that when they come back they will constitute a pool from which we can draw on for our resources, in Government, in private industry, and in the community generally. Some people have the tendency of trying to ignore or to play down, or to ridicule private education programmes. That, Sir, is a negative approach to the whole problem because the problem before us is such that all agencies which can be available should be used to the maximum. It is in this spirit that some of us have chosen to support private education programmes and agencies.

Too often, Mr. Speaker, people have tried to suggest that the only kind of education that is good for a person is the education in Britain or in British institutions and that unless a child or a student is going to Britain he should be warned not to go. That, Mr. Speaker, is a negative approach. A country as young as ours, with needs such as ours, requires education from everywhere. What we need is education, educated persons, and persons who are equipped to help this country. It is true that British institutions have a history and have made a name. It is true that in academic and intellectual circles a degree from Cambridge and Oxford is valued, perhaps, more so than from some unknown institutions. But we are not concerned so much with status. We are concerned with being able to produce the personnel equipped to do a job of work in our country. Whether that degree is from Italy, from Austria, from Russia, from America, or from any other country, if it

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is the educated person of the calibre we require, then, Sir, it is wrong to try to suggest that this country should discourage that kind of person from going overseas and coming back to assist.

Mr. Speaker, this country cannot have a narrow-minded approach to education and to international affairs. When this country becomes independent she will maintain certain relationships with Britain, I hope, but what is more important, is that she will open up new relationships with new countries. We cannot be confined after independence to merely being in the shadow of Britain. That would render our independence meaningless. Our independence presupposes that we will be free to decide on new friends, on new relationships, on new approaches to our problems, and on producing formulae and solutions of our own type to meet our own problems. It is on these grounds that I have never agreed with anyone who has suggested that our students, our eager young men and women, should be confined to the straight-jacket of travelling one way and one way only, to Britain and back. I believe that they should be free to go all over the world. It is important for us to know something about these other countries, and this is the purpose of education. In addition to the university degrees that these people come back with, the other thing, the experience, the knowledge of the way of life of various people, will enrich our own experience and make it possible for a broader approach to life and international affairs to be made. We have to encourage this approach because it will make Kenya a more truly and genuinely independent country when that time comes than if we did otherwise.

I think, too, Mr. Speaker, that it is wrong to have a label tagged or a label created in an attempt to ridicule certain countries or institutions when we know that the needs of the country make it imperative for some of our students to go, regardless of the attitude which we may hold in this country. The result is that although we say they should not, we know that they do go; we know that there is a private traffic of students going from this country to other countries in the world and we make it most undesirable, so that these people leave us as though they were thieves running away from this country, desperately avoiding being seen or discovered. We create an attitude of mind which immediately breeds suspicion and bitterness instead of encouraging and helping and assisting with the problems which may arise.

I suggested some time back and I want to suggest it in the House today, that what we need to

do is not to stop students from going to this or that country; what we need to do is to assist students who have gone to those countries with problems that may arise, social problems, financial problems, academic problems and other problems. We have a student's adviser in London; there is no reason why we should not have a student's adviser in India and Pakistan; there is no reason why we should not have a student's adviser in Europe—I hear someone shouting "Moscow"—there is no reason why we should not have a student's adviser in Moscow. There are many British students in Moscow; there are many American students in Moscow. It is not the going to Moscow which is wrong. But if you insist on putting that label, that going to Moscow in itself is a sin, you create the psychological situation in which you encourage the stinging. There is no reason why, Sir, we should not increase the facilities for student assistance in the United States. It is needed. The numbers of students going to these countries is increasing every year and we cannot adopt ostrich tactics here by pretending that we do not know they are there and that they have problems. We may say that we did not send them there. But, Sir, they are our responsibility; they are Kenya citizens, they are Kenya students coming back to help nobody but Kenya, and it is in our interests that we should be assisting them at the time when they need assistance to be sure that when they come, they will also be of assistance to us. If all we do is try to condemn and ridicule them we have no right to expect them to come back and co-operate and assist us.

Mr. Speaker, I want to come to the particular question of the student programme to the United States, with which I have been closely associated. I believe that this programme has done or made a tremendous contribution in the last three or four years. In a matter of three years the number of Kenya students has increased to over 500 in the United States and in my view is a very important and significant contribution made by private agencies in the field of education in our country. It is, I think, one to be commended by both the Government and the people of this country. We would like to show our appreciation to those agencies, the American families, the institutions and foundations, which have made this possible. I am aware that there have been criticisms. There have been criticisms about methods of selection, about standards of education. There have been suggestions about unfair tribal composition of the student bodies. There have been all sorts of suggestions, allegations and criticisms. The hon. Member for North Nyanza is, I see, well aware of these criticisms and

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perhaps he is the author of some of them. We are not afraid of criticisms; we would like to hear more of these criticisms because we would like to co-operate with those who make the criticisms to find a formula and solution that would eliminate most, if not all, of the criticisms. But, Sir, it is negative; merely to criticize the programme if one is not prepared to make a contribution to the programme. If one's motive is merely to destroy rather than construct, and it appears to me that some people are well bent on destruction rather than construction. Some, it appears to me are either out of jealousy or personality clashes intent on destroying rather than on construction. How does this programme work? First you have those institutions which are willing to take on students; second you have the students with the initiative who go out and try to look for places. No-one, not even myself, can create that initiative in the individual himself unless he has it. Most of the students who have gone are of this category. Those who went out by themselves wrote letters to tens or even hundreds of institutions in an effort to find a place. That kind of student is to be encouraged; it is to be commended. If in some corner of Kenya some people choose not to take the initiative, there is no need condemning those areas which take the initiative. What is needed is for those areas that have less initiative to begin to think of doing something themselves, and that is the first aspect of this programme that does not seem to be understood. Secondly, Sir, a student may find an institution or a college and yet not find the money to go to the college. So many people have the idea that we sit in Nairobi in Alvi House with scholarships in our pockets and all we have to do is to dish them out. That is not the case at all. In fact our function is merely that of a transportation agency for those who have already got admission and all the other requirements and who now need transport. I would challenge anyone to produce a single case of a student who has all his papers, admission, scholarship, money, who has been refused transportation we have set up. Now that is primarily the transportation from the agency that we have set up. Now that is primarily the purpose of our agency to enable a student to travel once he has made the other arrangements. Now there is a very important part of this programme and that is where the local people must come in. The basis of this programme is that it is a people-to-people programme and it requires local participation. Some colleges in America give what is known as a "partial scholarship" which requires that the student himself must find the rest of the money.

In addition to that, before the Consulate here will issue a visa, a student must have raised a minimum of 3,100/- which he takes with him in cash for the first three months of his residence in the United States. We consider that is reasonable, otherwise the student might arrive there and find that various provisions are not available and he cannot afford to buy them himself. We do not have the money to dish out to students who need this additional sum of money or the 3,100/-. That is the job of the students' parents, the students' associations, or friends, or relatives, or whatever it is, and in the last three years, in some areas, Mr. Speaker, the local population have been able to raise money to assist their local students. In some areas, the local population has failed to raise even a single cent, but insisted in shouting at the top of their voices that they were not being considered. Now, every leader in this House and outside has a responsibility in this matter. He can assist by generating the interest in his own area for the raising of funds and the challenge to him is not one of coming to me and shouting, trying to find out how many students from his constituency he has helped to raise the money needed. I do not say that we should all raise only money for our constituencies. Far from it. I recognize that some areas are wealthier than others and that there is need for those who are wealthier to assist the less wealthy areas. But this can only be done if we have co-ordination and co-operation in the programme rather than recrimination and condemnation in which some people would assist. We have done, and some Members have done a tremendous job in this. The Kenya Education Trust, the various clans, associations in Ukamba country, in Central Province, the districts and the populations have raised lots and lots of money. I recall, Mr. Speaker, last year, the hon. Member for Nyeri, Mr. Maitengo, in a matter of a month and two weeks helped to raise over 80,000/- in the Nyeri District. I remember the hon. Member for Machakos, and some of us, raising in one day a total of 8,000/- towards the programme to help students from their various districts, and so on and so forth. But I also remember areas in which I could not raise a cent, and in which the leaders, perhaps, out of ignorance, or lack of enthusiasm and interest did not particularly raise any money.

Now, I would like to make a suggestion because it is here I think that there seems to be some real difficulty, and I recognize the difficulty in terms of all areas not being equal, and perhaps the best way out of it is to try and create a Kenya Private Education Fund, organized by all the African leaders, or shall I say all the leaders, because in raising this fund, I must say

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the Asian community and the European community played a real part. In the bazaars and in other areas we have raised a lot of money towards education and I think they too are getting tired of having a student coming along every day or every other day and asking for more money and more money and more money. If we can, among ourselves, the various private educational interests, agree to form one national body and raise funds in one central, national educational fund, I think we will do a lot of good in helping the programme. We will eliminate this one basic problem of how you co-ordinate and assist areas that are not wealthy from the sympathies and assistance of areas that are relatively wealthy. I think it can be done. I think that if we sat down and thought about it and agreed among ourselves and left out all these personal jealousies or personality clashes and do nothing in the way of criticisms, destructive criticisms, then we can do a tremendous job, and the programme instead of being destroyed will, in fact, be expanded upon. I believe in this programme because it reduces the area in which governments are involved and by so doing, although we receive the assistance, say from the United States, or in future from the other countries with which we are trying to establish contact, it will not unnecessarily politically embarrass us or make it necessary, or make us the objects or victims of subtle cold war manoeuvres. I believe that, and I feel too that all the people who are interested in the present educational programme, that we had better all sit down, arrange a conference or a meeting, sit down discuss the programme fully and see how we can best help it to assist the whole of Kenya and not to appear to assist only parts of Kenya. I believe that my friends the Parliamentary Secretary for Education can be of some assistance in this and if he accepts, not a challenge but a request, he might help us form that small group of the convenors or those to initiate the meeting to produce a bigger programme. I personally would be quite willing to put out all the assistance that I am capable of through the various agencies that I know and to hand this over to whatever central national committee that is set up.

Mr. Speaker, the hon. National Member, Mr. Okondo referred at length to lack of secondary education and the problem of having students with the Kenya African Preliminary Examination who want to go overseas. Our offices are visited ten or 20 times a day by young, eager students who have found it impossible to go on from intermediate school to secondary school and who

want to find an education overseas. The problem is that one cannot provide in private programmes as adequately as they need to and also there are not as many facilities for that class of student or category of student as there are for high school graduates. The reason being that in many countries overseas, developed countries, education at that level is often free and compulsory for local residents and our students not being local residents do not qualify for the local high schools in these foreign countries and the only way that one can sometimes assist is when one finds a family in that country that is willing to adopt or sponsor. The African child and take him into local residence to be able to get the necessary residential qualification. This involves a lot of negotiation with various families; it also involves a risk in that a young boy of 12 or 13 is asked to leave his parents or her parents and enter a new home which we may not ourselves have met, whose background we may not be altogether aware of in a new country with a completely new way of life and approach and a new system of education. Sometimes it is asking too much of a young child. We have one case of a complete nervous breakdown and the child had to be returned home. Fortunately we have not had many cases, but the tragedy of that one child is a warning, I think, to most of us that this kind of programme at that level must be very carefully considered before we embark upon it.

Mr. Speaker, on the question of selection, another one of the criticisms, the position is that no actual selection takes place in Kenya in terms of the private programme. The most that one can do is to recommend a student to the institution. But the selection is done by the institution itself, the college or university themselves. They insist on having all the papers, the relevant documents sent out for them to be able to assess the student's academic qualifications and background. They sometimes insist on having all the relevant documents from the primary, intermediate, secondary stages up to Cambridge School Certificate to give them more information. It is therefore entirely false for those who suggest that in selecting students some unqualified students may have been put in by local personalities without regard to their academic qualifications. If anyone has slipped through this sieve, then the fault lies entirely with the institution at the other end and not with the agency over here. Perhaps the method of advertisement and screening of students can be improved upon and I am willing to discuss with all the local agencies and other

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persons to see if it can be improved upon. In fact, during this year we have sent an invitation to the Education Department to have one of its representatives sit in at the committee which will go into the question of selection of students for the air lift.

I see the Parliamentary Secretary shaking his head, perhaps suggesting he has not seen it, but I will consult Mr. Peter Mati who is the person dealing with this to see if it has not been done. My information is that it has been done. We have also invited representatives from the Royal College to sit in. We have invited Mr. Agapala who is an Education Officer to sit in and we are eager to do whatever can be done to have such persons, well-known educationists to help with the various problems of assessing standards and that kind of thing.

Now, Sir, the other question that is often raised is whether the students are going to well-known universities. So often we are told they have gone to some small little university that does not mean a thing. There are two questions involved here: One is, is it the size of the university that determines the nature and content of education, or is it the education itself that we are interested in. Does every child in Britain go to Cambridge and Oxford? Or every child in America go to Harvard? Or every child in Russia go to Moscow? The answer is No. Does every child in Kenya go to Alliance High School and Mang'u. The answer is No. What therefore, Mr. Deputy Speaker is wrong in any of our students going to some universities which some people in this country may regard as unknown if they at the end of their four years they get a degree and come back to help with the work we have here. In fact our experience, Sir, that the bigger the university the bigger the problems for the new student. Some of these big universities have a population of 20,000 students and the strange foreigner gets lost, completely lost, in this campus. No personal attention by the tutors or the advisers and it is often the student who went to the smaller place, the 1,000 or 2,000 campus that receives the personal attention reducing his social problems, his psychological problems, and it is he often who succeeds on the grounds much more effectively than the others. In fact the statistics show that of some of the failures we have had in the United States, the worst failures were from Harvard and not from the smaller universities. I do not know the reasons. I have never been able to go into these. But I think the reasons are pretty obvious and so I do not feel

that it is fair to judge this programme on the basis of whether the institution was big or small. The other question is to think of it in terms of our situation. Supposing you have a son who cannot go to the Royal College or Makerere not because he is stupid, not because he failed his examination, but because the quota provided for Kenya is filled. For it is a fact, Mr. Deputy Speaker, that today there are many first-rate students who cannot go to Makerere or the Royal College. Now, that kind of student is faced with a decision of whether he will go to small unknown college in Europe or America or stay at home and get no higher education at all. What is the choice for the parents and the student? I should have thought it is pretty obvious. He will go regardless of advice, regardless of caution, he will go. It is no use telling him that there is some Kenya TI for him to take, some training college for him to go to, because the student has the right to decide whether he wants to be a teacher at that level or whether he wants to go to a university and get a degree first. It is unfair that we should have a regimented society in which someone is told, "You cannot go to a university, you must go to a Teacher Training College. Of course, we need teachers, but the right of the individual to determine whether he must go to a university if he has that opportunity must be secured for him. Mr. Speaker, so much for this private education programme, and I hope that what I have said here will help some of our critics to understand the programme and the appeal I make here, not only to the Government, but to all the leaders in the country, that we get together and see if we cannot form a national, central education fund that can be distributed nationally instead of regionally through regional efforts, and also a committee to study all the problems of students overseas and problems of the programme locally will be met and accepted by my friends. The only last point I want to make, and I think the Leader of Government Business is aware of this, is on our recent visit to the United Kingdom many students came to us with the same problems and that is the plight of some students who have gone overseas and who have no means of support after the first or second year. There are many of these students. At first some people try to direct criticism mainly to the American programme, but the Leader of Government Business will agree that we found some desperate students in London. There are desperate students in India and Pakistan, Kenya students, and there are few desperate students in other parts of Europe. They are all writing to us and wanting to know if we will give them some assistance. Most people

[Mr. Mboya] think that this kind of assistance must come only from private sources, but it is our humble suggestion that this assistance should now come from the Government too. There should be consideration by Government of some special fund that can help them especially those who do not find it fit to apply for loans because they are not sure that they can pay back the loans or, have no security on which to borrow the money, that we should find some money to help them. I know that this matter was put to the Leader of Government Business by many of the students in London and when he replies, we would like to know if it would be possible for Government to find some funds to help these desperate students in India, in Britain and in other parts of Europe, and so on, and it is here, Sir, that the suggestion of a student adviser in India and Pakistan and one, Sir, in Europe, in addition to the one in Britain, and another one in Canada, perhaps serving plus the United States should be taken seriously and, if possible implemented immediately. I would like to ask the Minister for Commerce and Industry, who is usually late and did not hear me say that I saw nothing wrong in having a students' adviser in Moscow. I would like to suggest that in appointing our student advisers, we should now consider appointing experienced African educationists or education officers to act as student advisers. I do not wish to see repeated the position we had before where we were represented overseas by Europeans recruited overseas in most cases and who do not appreciate the problem that we are trying to meet. I think there are enough African education officers or men with experience in educational matters in this country who could be appointed for this job overseas and would like emphatically to suggest that the appointment of such student advisers should be confined to Africans as far as possible. The other question on overseas training is about nurses. Now when one visits Britain, one is surprised to see the large number of West African women studying various professions in the United Kingdom and in other places. I have tried to find out how this has come about and the answer, it seems, is this: lack of too many restrictions in those countries as compared with our country. In our country, when one of our girls finds a place in Britain she is admitted and the institution is willing to take her on her standards, our Education Department will often say sorry, but we think you are not qualified. The question is who knows who is qualified for the institution; the institution itself or the Education Department sitting in Nairobi? What business is it of the Kenya Education Department if someone is going to

Britain as a private student, and the institution has accepted that student and is not asking for money from the Education Department, what business is it of theirs to stop the person from going. There is some justification in finding out whether he has all the funds he needs in case he becomes destitute, but beyond that what reason have we to stop these people from going overseas for education. We would like these kinds of unreasonable restrictions to be removed to allow for free movement by any of our young men and women who wish to avail themselves of an opportunity to study overseas. I am referring to restrictions about passports, I am referring to restrictions imposed by the Education Department on travel documents and so on. I think these should be given once a student shows that he or she has admission at an institution and that the funds have been arranged. There should be no further restrictions for them. So often someone comes up and says, "Oh, you want to go and study nursing; you must have Cambridge School Certificate." Well, Sir, not all people with Cambridge School Certificate become good nurses. A good nurse need not have a Cambridge School Certificate. What they need to have is the knowledge of the language to enable them to study the subjects; the experience, if they do have that experience locally to enable them to understand and study the subject and that they should be acceptable to the institution or hospital to which they are going. It is unfair, especially for those nurses who have had experience here to be refused to go overseas merely because they were unfortunate not to have Cambridge School Certificate when we have accepted them in the nursing service here and trained them free. It does not make sense; it is unfair.

Lastly, Mr. Speaker, I want to say something in conclusion as regards this overseas education, to the points made by the hon. Nominated Member, Mr. Sagoo. He referred to the number of students who failed to come back home. Naturally, this Council would be anxious that every student who went overseas should come back. I, however, do not agree with him that the situation is such as to warrant panicky statements in this House or elsewhere. I sit on the same Board as himself, and I think I have the same information as he has, and on the contrary I think our students are to be commended in that the great majority of them return home almost immediately they finish doing their studies. There will be always those few who linger behind for a few more months or years, but that is bound to happen, and it is here that we need the services of experienced student advisers and student contacts overseas. I think it would be

[Mr. Mboya] unfortunate if at this stage we started making these allegations because I do not think that it is yet an issue.

The other point, Mr. Speaker that I want to make is the question of education in general, its content, its purpose and its aim. We have had in this country an education system geared to meet a Colonial psychology and a Colonial atmosphere. That kind of education has created a kind of educated person that, to a large extent would fail to meet the new emotional, psychological and social problems that will arise after independence and nationhood. I believe that our educational system must undergo a revolution. Its thinking, its purpose, its direction must be completely revised so as to fit into the new purpose the new conscience and concepts of our nation. It must prepare our children to appreciate and be proud of themselves and their nation. The old educational system created an inferiority complex in many of our children. It trained them to think of a European in this context of Britain as the master. Our new system must aim at eliminating, eradicating, this Colonial psychology and creating a truly independent psychology aimed at instilling in the minds of our boys and girls, the pride that they are Africans, that they have a purpose in life; that our country has a contribution to make in Africa and the world at large, and that there is something like African culture, African history, that should be known and appreciated, instead of just learning about the history of the British Commonwealth, the slave trade and all the American War of Independence. It must begin to move to give a greater appreciation of African culture, African history and the African personality. This means a revolution in our educational thinking, especially at the primary, intermediate and secondary levels. It means a revolution in our teacher-training institutions so that the teachers themselves, some of whom may have been educated in the old order, may begin to appreciate the new order and help the children to appreciate the new order and appreciate the right to self-fulfilment. Africa has one big problem; the problem of language, and Africa has one big challenge, the challenge of unity and emergence to begin to create an impact on world affairs through that unity and we, like any other country in Africa, must try to solve this problem of language in preparation to meet the challenge together with the other African nations, and on this basis, Mr. Deputy Speaker, I suggest that our educational system should begin to study these problems of African unity, African emergence and the need to create an African impact. The

teaching of languages as is now being studied in other parts of Africa should be studied here. It seems that in other new nations, the teaching of English and French is becoming compulsory to facilitate greater unity, greater co-operation and communication among the African people. I think we ought seriously to get involved in this whole exercise and play our part accordingly. One begins to feel the impact of this when one attends various pan-African conferences and one finds that a neighbour coming from the Congo for example—if that person does not understand Swahili, then you might sit together for ten days and yet never be able to talk about your common problems. Yet you will talk to someone from Britain, from America, thousands of miles away and not be able to talk to your neighbour. This I believe is a challenge for our educational system in every part of Africa. This may have fitted with the Colonial past but it does not fit in with the independent future that we have for this country. In conclusion, Mr. Speaker, I am reminded of the problem of the United States Teacher Exchange, and some aspects of the problems that our teachers may be faced with. We understand that under this programme all the other expenses are paid by the United States but there is a problem of paid leave and family allowance, which we would like to suggest that our Government should consider immediately. I do not know whether my information is correct, but I am informed that those of our teachers going on similar exchange programmes to Commonwealth countries have paid leave and family allowances. If this is so, then I suggest it should be uniform for teachers going to the United States or other country. I think it is necessary that we make it as easy as possible for teachers to take part in this programme and especially alleviate any of their financial problems. Mr. Speaker, Sir, I have spoken at length but I feel very confident that some of the observations I have made; if accepted, by my friends in the House and other leaders outside will help us on this question of the private education programme for overseas and also I hope that in planning our next educational programme, development programme that we will take into account the need to move away from a colonial psychology in the educational system to a new independent and truly African psychology.

Mr. Lord: Mr. Speaker, Sir, in my maiden speech I mentioned how we are very backward in education and I appealed to the present Minister for Education to do everything possible to improve the education of Northern Province and to give special consideration to this matter.

[Mr. Lord]

Mr. Speaker, Sir, we need badly more primary schools in places like Elwak, Ramu, Lashamis, Buna, Tarbaj, Habarwein, Ijara, Sakha, Merit and all Trading Centres, and my people are ready to help in this work. Mr. Speaker, Sir, we need also intermediate schools in every district and, of course, we must have one secondary school in the whole Province. We also need a trade school and adult education. I would like to hear from the Minister for Education when he will supply details of the plans he has in mind, and I beg to support.

Mr. Chanan Singh: Mr. Speaker, Sir, the hon. Member for Nairobi East has done very well to emphasize the broad problems of education and especially of higher education overseas. The things that he has said needed saying for a long time. Now, Sir, it is not an easy matter to collect money from individual donors for such a large project as an air lift to America. It needs a lot of planning and it needs a lot of hard work. We know that the Government spends a lot of money on education and on other projects. May I suggest that the Government gives direct help in this matter and the basis of help in my view should be £ for £. Whatever is raised by private effort should be raised by the Government itself so that the private effort that is now being made will be doubled to the advantage of Kenya students. The question of recognition of qualifications obtained by these students at overseas universities arises. It is a problem of importance just now, but in view of the impending independence of the country, I hope that that importance will not exist in the future. By the time many of these students will come back, Kenya will be a free country so that all degrees, wherever they are obtained, will be recognized so long as they are good enough; and I am sure that whenever a student is sent overseas with the help of overseas universities or with the help of donations locally they are sent only to worthwhile universities.

Now, Sir, this question of recognition of overseas qualifications is important especially in relation to the degrees obtained in India. We have to remember that India was a pioneer in this effort. When India obtained independence, several leaders of Kenya's African communities, headed by Mr. Jomo Kenyatta, appealed to Pandit Nehru to help Kenya in the matter of education and he immediately arranged for the grant of scholarships once a year and we know quite a number of African students have availed themselves of these scholarships and quite a number

of them have come back. There has been, ever since the scholarships were founded, a prejudice against Indian degrees. I have stated in this House before that the average Indian graduate is not as good as the average graduate from a British University. That must be admitted; but I have always felt that there was a need to reassess the value of Indian degrees. For one thing, the Education Department has insisted that there should be no distinction between pass degrees and Honours degrees although a similar distinction exists in the case of degrees obtained in the United Kingdom. An Honours degree is certainly of a higher value than a pass degree, whether it is obtained in India or in the United Kingdom. Here again, I must emphasize I am not saying that an Honours degree from an Indian university should be placed on a footing of equality with an Honours degree from a British university; but such a degree is certainly of a higher value than a pass degree obtained at an Indian university; and we must also remember that India is an independent country. They are giving more thought to the standards of education. Some of the graduates that are now coming back from India can certainly make a valuable contribution to our problems here. I have recently met one or two African students who came back from India with degrees in economics. Now, Sir, economics is a subject that has received greater attention than some of the other subjects in Indian universities. They are giving special thought to the problems of under-developed areas, largely because India itself is an under-developed area, and I am sure graduates with a background of that education can be of help in our country. I do hope there will be no objection to reassessing the value of Indian university degrees.

Sir, we have been told that there is a shortage of teachers. Here again some reorganization of thinking at least is necessary. I know a number of graduates from Indian universities, trained graduates, are looking for jobs, whereas we are importing graduates from America. I really see no reason to discriminate against graduates from Indian universities. What needs to be done is that in the case of graduates who do not know our system of education, whose background is not East African, do need some sort of refresher course before they are launched on their teaching duties. I am sure a few months spent in a local training college will render an overseas graduate a much more useful teacher than he is, but apart from that I do not see any reason why we should not make use of the trained graduates that are already available in this country. Several speakers have touched on the question of the expensiveness of education, especially the

[Mr. Chanan Singh]

expensiveness of buildings. Now, Sir, that is a matter which is for engineering experts. I, as a layman, find it difficult to understand one thing. In the villages of India we have had schools made of mud bricks. They have lasted for a very long time. I know the primary school which I left in 1919 is still there and it is still giving as good service as it was then, and I am told that children before me received their education in the same school. That is a school made entirely of mud bricks. Now, cannot we do something like that in the rural areas of Kenya? I am sure a school made of mud bricks will be much cheaper and if such school buildings last so long in India, they can last just as long here. After all, as has been emphasized, it is more important that children be given education rather than that they be given education in palatial buildings.

In regard to rural education generally, Sir, I noticed another change during my recent visit to India and that was the system of basic education. Schools in rural areas emphasize the needs of the people in the villages. They base their education on one basic craft and they learn one basic craft which is useful in that area in addition to the ordinary subjects of education. Something like that may be of use in Kenya. Then, Sir, there is this perennial question of Kenya African Preliminary. The biggest mistake, I feel, was made when we got away from the Cambridge Preliminary Examination. Up to that time, all children of all races prepared for the same examination, that was the Preliminary Examination of the Cambridge University, so that they received exactly the same education. They followed exactly the same syllabus. But then, all of a sudden, the Education Department decided to have its own preliminary examination. It may be that the Cambridge University discontinued its examination. I believe that was the reason, but if that was the reason then they should have started a common Kenya qualification for all children. There was no need to have a different Kenya Preliminary Examination at that stage for the different racial groups. That happened some 20 years ago but even now we are finding it difficult to persuade the Department to have a common preliminary examination. They say that it is very, very difficult. It was not so difficult until 1942 but it suddenly became difficult after that! I know that progress is being made in this direction, but it is being made very slowly. I do suggest that the time has come to assimilate the syllabus and textbooks in regard to the preliminary examination, if not in all the subjects at least in subjects other than English, because we have been told over and over again, and I

know there is a great deal of truth in it, that the standard of English in European schools is higher; it is bound to be higher because it is the mother tongue of the children studying there, but it is not the mother tongue of Asian and African children. So if it is not practicable for the time being to have a common paper in English, let us leave English alone; let us have common papers in the other subjects.

We have also been told, Sir, that the report on the teachers' service will very soon be out. There is only one fear in regard to that subject in my mind, Sir, and I have expressed it over and over again: we want a common teachers' service which will treat all teachers alike. Now, there are two ways of treating people alike: either value their work or value their qualifications. But you cannot have either one or the other according to whether or not it suits a certain group. Now, Sir, before the Ldbury Report came out I know that the Asian teachers received nearly 55 per cent. of the salary of European teachers. Now, Sir, the Ldbury Report introduced a non-racial service, but after that the Asian teachers still received 55 per cent. Before that it was because they were Asians and, then, it was because they had degrees from Asian universities.

Now, Sir, there is a feeling that the Department was only looking for an excuse to keep the people in their relative places; so that the Education Department must make up its mind as to whether it regards work-value as the basis of remuneration or whether it regards educational qualifications as the basis.

There is one other subject which to my mind is of some importance, and that is the subject of bursaries versus scholarships. There is a great dearth of scholarships in this country. The Education Department gives a number of bursaries and I believe only one scholarship which is open to the children of all races. That is indeed a very good idea but I feel that there is need to introduce some scholarships also in addition to the bursaries. If there is no more money then I suggest the bursaries should be divided into two; half of them should be awarded on the basis of purely of merit, but in the other half the means test could be used.

Now, Sir, I do not think that a means test is practicable. I know from experience—and I am sure that other Asians in this Council know the same—that you cannot find out what a man's income is. You have to rely on his declaration and that declaration is not published; nobody can challenge it; and the Education Department itself has no means of verifying it. A trader, for

(Mr. Chanan Singh) example, may say that his monthly income is Sh. 1,000. If a civil servant says that his monthly income is Sh. 1,100—and he cannot tell a lie because his monthly income is known—then his child will be left out because he gets Sh. 100 more. I think that is an entirely wrong method for the Education Department. After all, it should be the aim in Kenya to facilitate the higher training of those who are best fit for that purpose, who are going to be most useful to the country. For that purpose I think it is necessary to award financial assistance on the basis of merit alone, but if all the bursaries cannot be made into scholarships then at least let us have half of them as scholarships and half as bursaries. This will not cost the Kenya Government any more but it will be appreciated by the student community.

Then, there is a question which has exercised the minds of the Asian community for a long time. For nearly 20 years the Asian community has asked that an Asian be appointed as Assistant Director of Education. The Department did not appoint one for nearly 20 years but it gave in at the end.

An hon. Member: (Inaudible.)

Mr. Chanan Singh: I really endorse the interjection which has just been made but I am coming to the next point, so that the interjection is no longer relevant.

Now, Sir, it is good luck for the country as a whole that this change was considered by the Education Department at a time when they got away from the racial basis of the organization of education. We have started thinking more and more of non-racial education, so that when the Asian Assistant Director of Education was appointed he came in as just an assistant director, not an Asian posted to the Education Department. I think that that is a good point, because if he had been appointed some years earlier he would come in as an Asian officer; now he is just an Assistant Director.

Now, Sir, so far as the interjection of the hon. Member here is concerned, Sir, I do think that the Department should consider the claims of African officers also, and there is no reason why an African should not be posted as Assistant Director to the Head Office.

An hon. Member: (Inaudible.)

Mr. Chanan Singh: Well, he is bound to be the next Director, I am sure, whether anyone likes it or not.

A European friend of mine has shown to me a circular he has received from the County

Council of Naivasha. There is a project there to build a hostel for European primary school children. It is not a circular asking for voluntary contributions, but it is a circular which levies a compulsory tax which has to be paid by all Europeans, not just by European parents. Now, Sir, my friend is objecting that in the year 1961, it is surprising that the Kenya Government should tolerate a racial levy for a service which is becoming more and more non-racial. We know that several of the European schools have opened their doors to non-European children, whereas in Naivasha, not very far away from Nairobi, they are levying this special tax on the European population for the use only of European children. I think that this is a matter which the hon. Minister should look into. I know and appreciate that it is not easy to throw open all the schools indiscriminately to all the children overnight. That is a matter which may take a little time. That I can appreciate; and even if the Minister wants to throw open all the European schools and all the Asian schools to the children of all races then he will probably not succeed. But he can at least stop the new discrimination coming in and I think this is a matter in which intervention is called for: a new discriminatory tax should not be permitted.

The question of the raising of school fees is another matter which has been opposed, and I support all the previous speakers who have opposed the raising of the school fees.

There is one remark of the hon. Minister, which he made in his opening speech, on which I wish to comment. He told the Council that when this matter was put up to the Asian Advisory Council, they rejected the proposal for an increase of fees but they did not offer an alternative suggestion for raising the necessary revenue. Now, Sir, suggestions were invited, but they were invited within a very limited sphere. The Advisory Council was asked how they thought the parents could pay, otherwise, or what services the parents thought they should go without. But the compulsory point was that the Education Department itself had to save a certain sum. It was not a question of raising further money. They said that a sum of £500,000 must be saved and must be found from the Education budget. That is where I think that the Education Department or the Treasury went wrong. Tomorrow they may want to cut the Police Vote and the Commissioner of Police might call the people of the area and say, "You must raise this much, otherwise I am closing down so many police stations." Education at least is a service which should be available to as many children

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as possible, if not to all. If that proposition is accepted, Sir, then the school fees have to be maintained at a reasonable level. Some years ago it was agreed that school fees should not cover more than one-third of the cost; so we had thought then that whenever the school costs went up the school fees would go up. The whole idea was that as the value of money declined the school fees themselves should go up. That is understandable because as incomes go up there is no reason why school fees themselves should not go up. But in this case the reason for an increase is quite different. The Government should have found that money from the ordinary taxation, and the Asian Advisory Council did suggest to the Government that the proper way to raise money was to raise taxes, income taxes, or other general taxes payable by the people who have incomes. Let those people who can afford to pay bear the extra costs.

The answer that those people who cannot afford to pay the fees can ask for remissions is only a point of argument, because I know that people hesitate to ask for remissions although they are making a great sacrifice to keep their children at school. There are certain people who will not beg for assistance. They think it is below their dignity. We know that that is true. Some years ago—I think it was the Glancy Committee which discussed this matter—we were told that the remissions in Asian schools were around five per cent, remissions in European schools at that time were about 16 per cent; so that at least the Asian community had been reluctant to ask for remissions of school fees.

Now, Sir, I must make one last point concerning the integration in schools. Several Asian private schools have started taking African children in reasonably large numbers. I know of one Asian private school in Nairobi which has recently admitted 120 African children. Those children have passed their African preliminary examinations, and are, I believe, entitled to enter secondary schools. But there is a very big problem there. That school is not an aided school and none of these private schools which have sprung up recently to provide for those children who have not been able to pass the Kenya Asian Preliminary Examination are aided schools. Now, the African children cannot pay the fees which are normally charged by these schools; so that the Africans are being asked to pay Sh. 20 a month, whereas Asian children in the same class pay Sh. 45. The fact is that even Sh. 20 a month is too much for the African children. Many of them are being assisted by the African district councils

in their areas, but there are others who must be finding it very difficult to pay the Sh. 20 a month. In any case, Sir, that is a matter which the Government or the African district councils must consider. The problem is that in the Government schools the fees cover one-third of the cost. Now, if Sh. 45 a month covers barely one-third of the cost, then Sh. 20 a month cannot cover more than a small fraction of the cost. I think whatever the Government does with regard to the other students in these private schools, the Government should give aid to these schools in respect of those African children who are entitled, by reason of their having passed the African preliminary examination, to enter secondary schools; and they may or may not consider the claims of these schools for aid in respect of the Asian children.

Now, Sir, the anxiety of African parents to give education to their children, and the anxiety of the African children themselves to receive education, is shown by the fact that a number of African students walk from as far away as Banana Hill, which is nearly ten miles from the school, and then walk back. The reason for this is because they cannot afford to pay bus fares. The buses are there. That is another matter I feel the hon. Minister should look into. If African children are admitted into private schools, then whatever assistance the Government can give should be given, and I am sure the cost, considering the figures with which we deal in this Council in the Budget Session, will not be very high.

Mr. Porter: Mr. Speaker, Sir, I will begin by congratulating the Minister, and I think I should say the Ministry and the whole service of education, on the work they have done to bring our country so far forward on the road of formal education. I do now that our achievements compare very favourably with that of other countries in this part of Africa, sometimes called Africa south of the Sahara. It is quite astonishing, in fact, to look at the figures which illustrate our achievement in comparison with other countries, and I make no apology for mentioning figures which have been recently published in the Press which do illustrate our standing.

I believe that in our primary system of education we provide an opportunity for every child who wants to go into primary school. This is not one hundred per cent of all our children, I know, but I understand that it is about three-quarters, and this figure applies to boys. In the case of girls I think we have not quite achieved fifty per cent, yet of girls who go into primary schools. These figures are at first sight a little depressing because all of us I think in this House would

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like to see every child in this country given the opportunity of getting at least a seven-year education.

However, when we compare these results with those of our neighbours, it does illustrate my contention that there are grounds for genuine congratulation to our Ministry for the work they have done. I understand in Ethiopia, for example, the attendance of primary schoolchildren is 3 per cent of children. I understand that in our West African neighbour I was going to say, and I think it is not the wrong term to use, Ghana, where I, as Members know, had some lengthy educational service, I was rather disappointed to see a recent statement after the UNESCO Conference in Addis Ababa that they have only achieved so far 33 per cent in primary schools. I know that they are concerned about this, and recently when we had a visit from one of the most senior civil servants there, a number of us discussed this matter with him and discussed ways and means by which Ghana is hoping to defeat this problem.

Before dealing, as I would like to, with the bristling financial problem of how to expand our educational system and bring it into line with our needs and our wants, I would like to spend a moment or two on some suggestions. They are no more than that but I think there is an opportunity in policy debate for us to make suggestions which may be of value in view of the fact that the Minister has agreed to set up a commission or study group—I think he said a commission—to review our educational system and make constructive plans for the future. As I said, I think we have nothing to be ashamed of so far, but I go absolutely with hon. Members who have pointed out that we are entering a new era, and we must enter it with enthusiasm, with ideas and with determination to achieve those targets through which we shall not only achieve the status of independence but will build in that substructure in our lives of an educated people and a flourishing economy without which our independence would be a rather hollow thing.

I am hoping that the hon. Minister will push ahead as quickly as possible in the primary and intermediate field, not only on the grounds which I have mentioned, on the lines approaching universal education, as quickly as possible, but in certain necessary reforms within the primary and intermediate system. I am one who believes that it is high time we had uniform syllabuses for the subjects in all our schools. I am not wanting a rigid system here; I know that there is room for a considerably wide choice, even for example

between the needs of urban children and rural children. It is not much good offering agricultural botany as a compulsory subject for urban children, although I for one would not be averse to them taking it. I grant that there must be a wide range of choice, and I would like to see us coming to this uniformity in our schools at all levels, primary, intermediate, and of course secondary, where they do already exist.

There must also be care for the different requirements of girl students as distinct from boys. That I recognize; I am not pressing for rigidity but common standards.

I would like also to see some attention given to the revision of the general part of the primary and particularly intermediate syllabuses in which the general subjects such as civics and history are included. I know that a good deal of work has been done on these subjects, but I still think there is room for improvement, and I would like to see a much stronger emphasis given to the instruction in civics, and by that, Mr. Speaker, I mean instruction in the public affairs of this country, in the national economy, the history through which we have gone, particularly the recent past, the last half century. I am astonished that children are so little aware of not only the recent past history of our country, but also of the public affairs: by that I do not mean entirely current affairs, I mean such important issues in outline which children can very well understand, such as the national economy, the administration of the country, and so on. I would like to see these subjects more strongly emphasized and the subject matter improved, and the available textbooks for these subjects improved for use at primary level, intermediate level and secondary level.

If the Minister would like one or two small suggestions as to how this sort of instruction can be profitably given, here, for example, is one: I think that the Minister might approach the Makerere Extra-Mural Organization and see whether they could not, say once a week or once a fortnight, on a Saturday morning, bring the senior children of all the Nairobi schools together, perhaps in the City Hall or any other large public room in Nairobi, for lectures in civic subjects of the kind I have been mentioning to bring our children into step and into line with current affairs, in a sensible and sound way, giving them a background about the economy and administration of the country and our history. I would like to see a joint effort of this kind inaugurated as soon as possible, as an example in this town and in other towns. I think this is essentially a town suggestion; it is not very easy in the country. In the towns, though, I would

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like to see the top forms of all the schools, and all pupils, boys and girls—forgive me on this occasion, I presume it will not be necessary for very long in future—I must say, European, Asian and African schools, and so on, all meeting together for at least one session of this kind every week, or at any rate every fortnight.

Another suggestion which I hope the Minister will not think is too irresponsible, Mr. Speaker, is that I would like to see this sort of general education provided in the schools throughout the country in another way. I have suggested the Saturday morning joint lecture scheme for the towns. In the rural areas I think this sort of instruction could very well be given during vacations. I can almost sense the bristling reaction of teachers to this suggestion, because I know it is a vacation time, and as an ex-teacher myself, I know that they put in tremendously long hours, far in excess of a normal working day when they are in school session. They do when they are in school session, but I grant they have their holidays. However, I think hon. Members on both sides of the House have said that our educational problems are emergency problems; we must approach them with an emergency attitude and emergency solutions. I do not think we can go on into independence without providing these opportunities for additional education in civics and public affairs. We must give every possible opportunity for the people of this country to get into step, and I suggest quite seriously that during vacations a period of say one week might well be given to the parents to come in and hear what is going on in the country. I am not thinking just of political party lectures; I am thinking of the sort of genuine civic instruction which I have mentioned that I think would be immensely appreciated and would do a tremendous lot to bring the whole country into the feeling that they are participating in this great effort of launching out into the new way of life and into independence. I think it would help to mobilize the people of all our districts, who must inevitably feel, to some extent, left aside, perhaps neglected, and unable to play the full part that they would like to play in our modern life and in our approach to modern life.

I also think, Mr. Speaker, that it is immensely important in this time, as I say, of emergency solutions to our educational problems, not only to use the ordinary schools for holiday courses such as I have mentioned, but for every town and village where possible to begin to run night schools. This also might be added to our education campaign, wherever possible. In towns, in

villages, everywhere. As for teachers, I have said that I know that teachers work very hard during the school terms. They do, but yet I have known in this town here, Nairobi, that teachers are prepared to turn out at least on one or two nights a week to give an additional hour where it is most needed, to youngsters who have passed their Kenya African Preliminary Examination who perhaps are unable to afford the fees for higher educational institutions. Night school is the opportunity which they need to push them on through their formal education subjects and their commercial subjects, such as book-keeping, accountancy, shorthand, typewriting and so on.

I am suggesting to the Minister that in this proposed review of education under the commission, that they do take the widest possible view of the opportunities of encouraging every kind of opportunity for education, not only in the formal schooling system, such as we have fairly well established already, but through all these other channels, some of which I am mentioning now, and one or two more which I would like to mention.

One, for example—and I hope no offence will be taken when I mention this—came up in our defence debate not very long ago. I would congratulate the Minister responsible for our prison system, for the new approach which he is bringing in to the education and rehabilitation of prisoners. I think this is immensely important. I remember him telling us that the great majority of our prisoners are not very serious cases; they are people who have perhaps got into jail through misfortune, poverty, and so on. These people do need some opportunity to rehabilitate themselves, and the quite considerable numbers of people who go through the prisons should come out equipped not only to serve themselves, but to serve the nation, to become productive citizens, and not to continue to be the wasters which, through, perhaps, misfortune and circumstance has been their lot. I hope that the most progressive advice will be taken in the development of this particular education service.

There are, as everybody knows, many other channels of education which are doing good work, but which I hope will be included in our reviews of the future under our commission. I am thinking of, for example, the army education. There is no reason why there should not be an even better system of pre-release training for our *sikaris*, so that when they come back to their districts, if they wish to be tradesmen they shall be equipped as tradesmen; if they wish to return to their farms they shall have some opportunity of training in modern farming, and make their

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contributions to their home districts, and be able to support themselves with a good standard of life.

I hope, too, that in all the numerous localization schemes, which one sees mentioned in the Estimates and for which plans are being made in nearly all departments of Government, the best possible advice of experienced educationists will be brought to bear on making these localization, education schemes, training on the job, further training in the departments and outside, and so on, and these will be made as effective as we possibly can make them. I hope that these ancillary lines of education, ancillary to the formal education system, will all be brought into consideration because I do see our educational problem as a national problem, as a national whole, and every single aspect of it does need to be reviewed right now, as soon as possible. I have some sympathy with the hon. Nominated Member, Mr. Sagoo, when he said that he hoped that we could have a report back before this Council meets again. It is a formidable task, and I think it is perhaps rather over-optimistic to expect that, but I do not think it would be asking too much to ask for an interim report by that time. I would like to leave that thought with the Minister.

I would like, Mr. Speaker, to remind the Minister of a promise he made in this House not very long ago, that is that he would appoint in the near future an adult education advisory board. I know that the hon. Leader of Government Business who is also Minister for Education has been an extremely busy man since he made that promise, but I do not want him to forget that promise. Mr. Speaker, and I am hoping that we shall hear the names of that advisory board as soon as possible. While I am on the subject of education boards, Mr. Speaker, I would also support those who have said that it is time that the separate racial boards gave way. I think not to one single board as was suggested, but if it is practicable I would like to see a higher education advisory board, a secondary education, a primary education and a technical board, and an adult education advisory board, and I think there would be room for all those.

I would hope that the adult education advisory board would make it its job to keep an eye on all these ancillary services of education which I have just been mentioning. There are one or two more which deserve no more than a mention, but I will do so. They are excellent institutions and they are doing very fine work, and I am thinking of such things as the medical training

centres, the nurses training centres, and those under the High Commission such as the Posts and Telegraphs and the Railway Training School, and so on. They are not within our formal education system; as far as I know they are not actually administered by the Ministry of Education, but I am hoping that any assistance the adult education advisory board could give some of these institutions, which are not within the formal system, will be given; this board could be a channel through which they could make representations. They might, of course, make them in special cases through the technical advisory board, but I am thinking rather particularly of the informal, that is the non-examination type of courses which I was mentioning just now.

While I am on this subject of adult education, Mr. Speaker, I would like to refer to the work hitherto of the churches in the educational field and pay my tribute to the great work which they have done for this country up to now. They have pioneered education in many districts in this country from which educated members of the public come today, who might, if it had not been for this pioneering work of the churches, in the remote places would never yet even have had the benefits of even primary education. One should not forget the great financial support which has come over overseas, not only from Britain but from America and other countries, to support that kind of work, and I congratulate them most sincerely on it.

I have a suggestion to make, and that is that with the pioneering tradition of education in the churches, that they might well consider launching a particular drive into the problem which I have mentioned in this House before, and that is the problem of bringing education to the adult generation in the rural districts. This, I think, is one of the avenues in which a true pioneering spirit is needed to which they might well make a most important contribution. If this suggestion comes to the attention of the Christian Council and of the constituent mission of the Christian Council, I would at once warn that it is not a small thing. It is an immensely large problem and will provide an great opportunity, a wide field, not only in material requirements of bricks, mortar and money but initiative and planning subject matter and providing teachers as well. It is a field in which I would hope to see the churches helping us in this pioneer work of bringing the existing adult population into full participation in the modern way of life in this country.

There are a number of other knotty points in this reappraisal and reorganization of our educational system which, Mr. Speaker, have been

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very thoroughly, and I think very well, dealt with by numerous other speakers; although I had intended to support them I see that time is getting on and I shall not waste too much time in repeating points which have already been dealt with. I would like to take up one point, though, which I think the hon. Member for Nairobi East mentioned. It is regarding the subject matter which is taught in our schools. I think all of us who are in or have been in the education world are aware that there is room for great improvement in the textbooks which are used in the schools; this is no reflection on the excellent work which has been done by teachers of all races in the compilation of textbooks, but there is room still for a great deal more to be done, and year by year more and more are needed. This service of writing textbooks and providing them is one which I would particularly call to the attention of the Minister, and in so far as the East African literature bureau is designed to help us with us, I do hope that maximum support can be found for that institution, that it can be built up on a larger scale and help to play its part, not only in the provision of textbooks in schools but for further reading, for post-school instruction, education and entertainment.

I will not deal at length with the language problems with which we are faced in this country. I would rather that it was a matter which was dealt with by our forthcoming commission on education, but I would like to mention one point which I do not think has been made yet, Mr. Speaker, and that is that although it does seem rather obvious for higher education purposes we should stick to English, for other purposes which are of immense importance in the country—I am thinking now of rural education, bringing education to the existing adult population—English is not going to the medium there. To my mind there is a strong case for the retention of Swahili as the common language for this type of education for a long time to come. (Applause.) I did not know my words would invoke such support, Mr. Speaker; I thought I was ploughing a lonely furrow.

One other matter which I am quite sure the Minister has in mind is the unequal division of primary and intermediate schools throughout the rural districts owing to the fact that certain districts are not so prosperous as others. We do know that now economy is becoming important, though the ravages of drought and army worm certain districts are unable to make their normal contributions to primary and intermediate education. Consequently the children of those districts

are going to suffer for a long time to come. I hope that the Minister will bear this in mind and think out ways and means of equalizing the provision of education, so that districts which are perhaps hard hit by an emergency will not have to suffer for a long time to come for this reason, that they are unable to make their financial contributions.

I have one more suggestion which I would like to bring to the Minister's attention in line, as I was saying, with the urgent need to mobilize everybody in the country for service for their own benefit and for the benefit of the country. It is quite obvious that a large number of our people receive some education, and through the incompleteness of our education system many now grown up in their twenties and thirties have the basic intelligence to go much further with their education or specialist training but have been unable to get the opportunities. It is always a difficult problem to select people for promotion within Government services, and of course within the spheres of private industry and commerce, and so on. I would like to suggest that the work which has already been done by the aptitude test unit be expanded into a larger and stronger institution to provide a wider service and to enable us to be able to give a reliable guide to the Ministry and to the departments responsible, and to make this service available in the private sector; to give a guide as to the aptitudes of people who have had only a partial education who are already in the service who might well be promoted to greater responsibilities. In order to find people who can justify high expenditure necessary for higher promotions, it is necessary I think to support it by a stronger system of aptitude testing, which one might call—to give it a wider term—the department of psychological testing, or something like that. I think such an institution would also be not only of benefit to the adult generation in employment already, but it would be of immense value to the school leavers, coming out particularly at the end of secondary school. I do not think our arrangements are adequate yet for advising the young boys and girls who come out in their teens a little uncertain as to what their best aptitudes, their best talents, suit them for. This sort of institution, this psychological testing organization, is designed for that sort of purpose as well, and I think it would save a good deal of frustration among young people; it would save wasteful expenditure in training courses which are perhaps unsuitable for the particular talents of children who get into them by haphazard methods instead of through a planned system.

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In my final words, Mr. Speaker, I wish to deal with the question of priorities. We all want to see the universal benefits of education in Kenya. Some people say we need most particularly an expansion of secondary education so that we can provide our own people for the advanced levels, the higher levels of Government service, and for the private sector. That I agree is an immensely important point and there is undoubtedly a bottleneck at the secondary level now. Others tell us that the bottleneck really is at the training of the teacher level, and that also I concede; without a detailed statistical analysis it is impossible to say, but everybody knows that these are bottlenecks. For example, I happened to see figures the other day which tell us that 4,000 extra teachers would be required for intermediate schools if we were to get a universal intermediate schooling standard seven. Even those teachers must have school certificate. Only 900-odd people sat for school certificate last year. Of those not all passed, and of those who did pass I wonder how many will actually become teachers. My guess would be 250. Now 250 teachers when you require 4,000 is obviously a wide gap and this has got to be filled somehow. This is another point which in passing I would like to call to the Minister's attention. I do think we should make serious approaches at once to Britain, and I think it must be English-speaking countries, and I was very interested to hear the hon. Members' views about training in Moscow and so on. I can see that there may be advantages in that, although I understand that it requires two years to learn Russian before one can attain one's instruction there. As this is an emergency question I think that it is necessary to stick to English-speaking institutions and sources. However, I think Britain or America or other members of the English-speaking world could help us by taking some of our young people and allowing them to complete their secondary education and go through teacher-training, then send them back to us. This is one way in which other countries could help us to get fairly quick results, and it is a matter which I hope the Minister will at least investigate and take action.

There is also this continuing and great problem of rural education. I would not like to leave this subject without once more emphasizing the absolutely urgent need of rural education. It does seem to me that we are in danger of having built up an education system which the economy now can hardly support. It is only by perhaps asking other departments to make sacrifices this year that the Minister for Finance was able to continue the education system at the level at

which we have it and make the small expansion of which we have heard. It is just possible that that may not happen again next year, and I do not think that we can expect to build up our education system except by our own efforts in the national economy. It does seem to be quite definite that if we do require three or four times as much money to operate a full education system and to have an economy which can provide employment for people when they come out of the education system then we have got to take this most seriously. I beg the Minister not to overlook this in his planning for the future. We can build up this economic base in the rural areas through—let me borrow the term, which has been used so often before—the crash programme which is necessary in the rural areas for adult education to teach particularly our farmers, our new settlers in the European areas and existing farmers all over the country immediately. They have to be taught simple processes, simple methods, which they must require if they are to raise their farm production and create the wealth which we need for our education system and to provide employment for all those who are coming out of it.

With these words, I beg to support the proposition.

Mr. McKenzie: Mr. Speaker, Sir, I want to talk for three minutes on a subject which has not been touched upon in this debate in the hopes that the Minister during the recession will act upon it. It is the views of us on this side of the House on the great part we maintain television can play in education.

Mr. Speaker, it is well known that television is an immensely powerful potential in the very wide range of teaching, particularly at the level of lessons in literacy and in various subjects in secondary education, and perhaps even more important in adult education. It is understood, Mr. Speaker, that there are interested persons and parties with extensive experience, and background capable and willing to meet the conditions laid down, conditions which I believe have been laid down by the Council of Ministers many months ago, based upon this experience which they have got. The television service could be introduced in this country within a year if effective action is taken immediately. We on this side, Sir, would like Government to know that we in the KANU Parliamentary Group suggest that any means which would expedite the introduction of television, bearing in mind the educational value of it, even if by the introduction of enabling legislation to bring into existence

[Mr. McKenzie]

a proposed broadcasting corporation without a previous sessional paper, would be acceptable.

Alternatively, we would be content if a sessional paper or other explanatory Government statement or statements were made and published. This, Mr. Speaker, would be with a view to affording sufficient authority in advance of the actual enactment of legislation for the preliminary and preparatory work of setting up a television service to proceed.

So vital, Mr. Speaker, is the need for education today in this country in our present position that the harnessing of television in the educational field is obviously of the very greatest and highest importance.

Mr. Speaker, I am sure that Members on all sides of the House would like to see this vital matter expedited, especially when one bears in mind its advantages in education.

The Parliamentary Secretary for Education (Mr. arap Moi): Mr. Speaker, Sir, I rise to congratulate the Minister for his eloquent speech in opening the debate on the budget of his Ministry.

In answering the hon. National Member who has just sat down about his speech on television I would say that the Ministry welcomes his ideas and those of the Opposition. We are prepared to make use of television when it is available, but the difficulty is that the Ministry does not run television; it is under the Ministry of Information.

Now, Sir, I should like from the beginning to correct something. During the Minister's opening speech I regret to have to point out that it was incorrectly stated that Arab secondary school fees will be Sh. 72 for tuition and Sh. 300 for boarding fees, per annum. The correct new fee which has been accepted by the Board of Governors of the Arab Secondary School, Mombasa, are tuition fees Sh. 72, and boarding fees Sh. 300 per term, not per annum. The error is much regretted but it is necessary to make this correction before the debate on the Education Estimate is concluded.

There were many points, Sir, which were raised. In the first place I should like to congratulate the Members of the Opposition who spoke during the debate. They did not savagely criticize the Ministry, but made very constructive criticisms which could not be avoided. I welcome genuine criticisms, knowing full well what our commitments are. My colleague, the Parliamentary Secretary, Mr. MacLeod, cleared certain points raised by some hon. Members who spoke earlier, but I should like to correct certain points which have just been raised.

The hon. National Member on our side, Mr. Porter, mentioned certain points relating to adult education. I do agree that adult education is very important in this country. In our Ministry we shall do all we can, but the difficulty is finance.

I should like at this juncture, Mr. Speaker, to thank the Education Officer, who used to run adult education in Nairobi, Mr. Danes. He did a lot of good, and I should like also to thank certain industries which contributed towards producing certain books which have been used in Nairobi in particular. I hope that in this effort these industries will continue to support our Ministry in trying to educate our illiterate people to enable them to read and understand what is happening in this country.

Mr. Speaker, Sir, I should also like to thank the hon. Member for Northern Province East, Mr. Lord, because in his speech he mentioned certain things relating to education in the Province. I would assure him, Sir, that we are looking into all educational aspects in his area. Nothing is overlooked as far as education is concerned throughout the country. We know every corner of Kenya where they need some assistance as far as education is concerned, and I assure him, Sir, that our Ministry will do everything it can to see that people of the Northern Frontier District will use all the facilities available to them.

The hon. Member, Mr. Chansan Singh, mentioned certain points and I should like to touch on some of them. He suggested that our Ministry should appoint an Asian Assistant Director of Education. It was indicated by my Minister that we are not interested in racial matters. At the moment we have an Assistant Director of Education who is an Asian, but this post is appointed, Sir, not because a person is an Asian, but because he has the ability to do the job. We shall continue to do this: if a person is able to do the job he will be given that chance. As we are speeding up localization, in due course the hon. Members on both sides will see the fruits of our labour, and they will find that we mean business. We do not only mean to talk on what they think in order to appease them. We want to make them realize that we are moving forward and want to allow our people to show the responsibility for which they have been clamouring.

Mr. Nhenge: Interjection.

The Parliamentary Secretary for Education (Mr. arap Moi): It is easy, Mr. Speaker, for the hon. Member to interject when he has failed to show the responsibility and come across the Floor.

[The Parliamentary Secretary for Education]

The hon. Member for Nairobi East made a very constructive speech, Sir, and I think I should congratulate him this time. He made certain points which most of us would like to see coming up. He made a suggestion that my Minister or I should convene a conference to create a bigger effort for all of us to realize what our requirements are for our country regarding higher education. I do not object, Sir, a suggestion of that nature is most welcome, and I assure him that what he suggested about higher education, and so on, carries my support. There are some aspects, Sir, which some of us feel should be clarified, but I hope those points will be clarified and discussed in this committee which is going, perhaps, to function so that we come to some form of agreement which will help the whole country.

He also suggested that he did not want a colonial type of education which produces a person who may not be useful. I should like to say that I do not like colonial government; nor do I like colonialism; but I think the colonial education has produced the best men, like himself, and they have made some contributions towards the advancement of this country. Therefore, we should at least give credit where credit is due. We should not merely brush aside something we feel was good.

Does the hon. Member wish me to give way?

Mr. Mboya: On a point of explanation, I said that whereas this kind of education might have been suitable in the past, with the psychology of colonialism, as we enter independence a new psychology, a new personality, has to be created and education has to be geared to these changes.

The Parliamentary Secretary for Education (Mr. arap Moi): Mr. Speaker, I welcome the hon. Member's correction, and I think he is sensible in making those comments. When I attended an educational conference in Ethiopia there was a need for creating local impetus to satisfy our local requirements. In this respect, Mr. Speaker, in our schools since we are moving towards integration, in African, Asian or European schools, we should try to make the children feel they are doing something which will contribute towards their own lives in the future. For example, with regard to art or painting, children at Standard I level should learn to paint so that in future they can produce an African culture of some kind. Some people have said that the Western and Eastern cultures have crushed the African culture. In this respect, Sir, the Members of the Opposition made some good suggestions. I do not think though, we can do anything in 24 hours and make certain changes visible. However, I welcome con-

structive suggestions and I assure them that we are moving in the right direction.

The Minister announced that there is a commission of inquiry looking into all aspects of education, not African education, Asian education or European education, but into all aspects of education, and I hope that the hon. Members opposite will avail themselves to help this commission.

Now, Sir, what this Ministry is worried about is the education of our girls. At the moment only about 50 per cent of the girls seeking admission for primary education could be given such facilities and the boys' requirements have reached saturation point where we need more intermediate schools, and this will force us to have more secondary schools. However, Sir, there is one problem, and one only.

Mr. Mboya: Money.

The Parliamentary Secretary for Education (Mr. arap Moi): Money. We require more secondary schools, we require more teachers to teach in the secondary schools, and because of this it is vitally important that we should help to tackle this problem. As hon. Members are aware, there was a White Paper which was debated in this House some years back on the financial relationship between the Central Government and the African district councils that made it possible for Central Government to contribute two-thirds of the money allocated for education to local authorities, and one-third was contributed locally by the local authorities. The commission of inquiry is going to look into these matters.

The hon. National Member, Mr. Okondo, mentioned something about buildings. I should like to tell him that the problem has increased in magnitude and complexity raising difficulties locally and elsewhere. There should be some plans to see what type of buildings are suitable. This, I should say, must be looked at from two aspects, the health of the children and the suitability of the site. Therefore we cannot look at the building aspect alone.

Now, going quickly, Sir, to the points raised by Mr. Wabuge, the Member for Nakuru, I should like to say that he referred to eight-year education. I think the Minister made some remarks on eight-year education or seven-year education and mentioned several districts which have already embarked on eight-year education such as places like Nyeri, Nairobi, which the Member for Nairobi East should be proud of—Mombasa, and some other areas which are coming up. I think the terms of reference of the commission, Sir, will go into drawing this up.

[The Parliamentary Secretary for Education]

He asked for a secondary school for Nakuru. Sir, I think the hon. Member should know that there is a secondary school at Njoro and a second stream boarding school is going to open again with facilities for boys around Nakuru, and the hon. Member should be grateful. He also mentioned something about a technical school for the Rift Valley. In this I support him because I also raised this some time back. I want to assure him that this has been gone into: it is included in the Development Estimates 1960/63, and it is hoped to start construction in January, 1962. The hon. Member should know this and I assure him that building will start as soon as possible.

Mr. Wabuge also touched on the question of the composition of the regional education boards. I think the hon. Member should know that the regional education boards are fully represented by people living in the various areas. In the Rift Valley Regional Educational Board the chairman is appointed by the Minister. One member who is the secretary and executive officer is the provincial education officer of the area and is appointed by the director; there are eight other members of whom one at least should be a woman appointed by the Minister, and the other in such proportion as he thinks fit are drawn from such bodies and organizations and institutions as the Minister may consider to be concerned with the progress of education in the area. Such a constitution obviously allows for very wide representation, and Mr. Wabuge's assertion that it is not a fully representative body is not understood.

ADJOURNMENT MOTION**REFUSAL OF PERMITS FOR PUBLIC MEETINGS**

The Speaker (Mr. Slade): It is now time for the interruption of ordinary business. I will therefore call on a Minister to move that this Council do now adjourn.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I move that this Council do now adjourn.

The Minister for Tourism, Forests and Wild Life (Air Commodore Howard-Williams): seconded.

Question proposed.

The Speaker (Mr. Slade): Before calling on Mr. Odinga I would remind hon. Members that the matter about to be discussed must be limited to the particular circumstances to which Mr. Odinga wishes to refer. We cannot have a general discussion of the general law or policy relating to public meetings, which was debated only a fortnight ago.

Mr. Odinga: Mr. Speaker, Sir, I rise to raise this question which I consider to be of the greatest importance to the running of organizations in this country. Mr. Speaker, with due respect to your ruling, I have selected two instances out of so many bannings of meetings in this country. I have selected these two because I feel that they were two of a very special nature. I have taken one which happened in April and another one which just happened during this month.

Now, the one in April, Mr. Speaker, concerns a meeting where I was supposed to be present and address the same. Also my colleague, Mr. Mathenge, should have addressed the meeting as well as other Members. Mr. Speaker, what the leaders of that branch, Thomson's Falls branch of KANU, did in order to show me how important it was that I should be present at that meeting was to take the trouble to travel to my home right in Sakwa. They travelled something like 200 miles—it may be well over 200 miles—and came to me and approached me and asked me not to fail to be present at that meeting. Indeed, I saw the urgency of my being present at that meeting, and I asked them if they had approached the district commissioner for permission for me to speak in the meeting. They said they had already submitted my name, and the district commissioner had told them that if they could get consent from me that I would be present, certainly he would give permission for me to address the meeting. So, Mr. Speaker, I gave them that consent, and I told them that because they had taken the trouble to come to my home I would certainly be present at the meeting on 9th April.

I came to Nairobi, Mr. Speaker, I walked and I thought that my name was on the licence to speak. It was just a day before the meeting and I was suspicious that something might be wrong because there is always something like that. I rang the District Commissioner in Thomson's Falls to find out if I was due to speak, and when I rang him he told me, "I am sorry, Mr. Odinga, we did not find it possible to include your name in the licence, and therefore you are not going to speak." You can imagine how disappointing it is, Mr. Speaker, when you have cancelled all your engagements and other affairs in order to attend a meeting, and then they do not even take the trouble to inform you earlier but wait until you ring them to be told that you cannot speak. I went further and asked him what the reasons were behind it. He said that he could not give me any other reasons; but the fact was that I

[Mr. Odings]

was not going to speak at that meeting, and there ended the story.

Now, Mr. Speaker, I shall also explain the other incident on the 2nd of this month. I was supposed to address another meeting in Eldoret, and my friends, Mr. Joseph Mathenge and Mr. Argwings-Kodhek, were also supposed to address it as well as other leaders of KANU. There also the leaders of the Eldoret Branch took the trouble to leave Eldoret to come to my home right down in Sakwa, just near the shores of Lake Victoria. They came over 150 miles to come to my home to make sure that I would be present at that meeting, and to tell me that my presence was really very necessary. I told them that I hoped it would not be like that one at Thomson's Falls. They told me they definitely had permission and the district commissioner only wanted an assurance that I would be present at that meeting. I said that they may want the assurances, but these assurances might be just for teasing me. There again, Mr. Speaker, I also gave my consent, and I gave it in writing; I would be present on 2nd July to address the meeting. Exactly the same thing happened. When I came here, from the first I was not even informed that I would not address the meeting. When I went back to Kisumu on Saturday, the first, I saw in the *East African Standard* of that morning: "Members banned from speaking in Eldoret". There I saw the names Odings, Argwings-Kodhek and Mathenge, that they were banned from speaking. I just prepared myself to start my journey to Eldoret.

Now, you can see, Mr. Speaker, what do all these things mean? I would appreciate an explanation from the Government Benches to tell me what this amounts to. When I consider it now it seems as if I am banned, not to address any meetings in the whole of Kenya. I am sure, Mr. Speaker, and I take it to be that there is somebody who is particularly trying to fight the influence of Odings, either from within this country or from outside, because my passport has been denied and I cannot go outside. However, they are not going to stop my influence, and when it comes to this country somebody wants to confine me to meetings only in my own constituency and not outside. What I say in my own constituency is exactly the same as what I say outside of it, and I do not see what this man is really after.

Mr. Speaker, I do not think I am a new speaker in this country. If anybody wants to challenge what I say at these meetings there are numerous quarters where he can challenge it. He

can even challenge it in the court of law if he likes. It is not the first time I have addressed a meeting; I have addressed numerous meetings all over the country; not only in this country, but all over, in many places in the world. Therefore, I do not see why this should particularly mean that the Government is out only to treat each individual according to the likes and dislikes of somebody either in the Central Government or in other quarters in this country.

Mr. Speaker, if the people wanted me at Thomson's Falls to address the meeting I consider that it was a public duty of the first importance for me. I was not going there to perform a duty for my own gain, but because the people wanted to hear the truth from me. If I am going there to give them the truth, I do not see why I should not be permitted to go. I do not go to that place in order to please somebody or to say something. I go there to please the people who have asked me to come to them, and I go to tell them what they expect or require to hear from me, which is why they invited me to go.

Mr. Speaker, I consider that if there could be a proper relationship and if there could be improvements in the relationships in this country, then it is for the Government to show us that they want that relationship to be improved. It is for those people who actually behave in that manner who should fight the law and change their attitude, and if they behave we shall also be prepared to do so, but we are not going to submit to what we consider to be tyranny. We shall only submit to justice and fair play. Mr. Speaker, I take great exception to all this treatment which I have had in this country. Everywhere I find that somebody wants to confine my influence to Central Nyanza only. Whatever he does, though, I think, that the water has already reached the place where it will find its own way down to the sea. You might like to put all obstacles in the way of the river, but when the water has gathered enough force it will find its own way and go right on down.

Mr. Speaker, I beg to request the Government to give me a satisfactory explanation.

The Parliamentary Secretary for Defence (Mr. Murgor): Mr. Speaker, Sir, I beg to reply. I want to assure the Members of the Opposition, Sir, that the Government has no intention of curtailing the activities of politicians wishing to address their constituents on any political issue, and we will give every facility to them for doing so. However, Sir, speakers are expected to cooperate by avoiding making statements which might lead to a breach of the peace through their effect upon unsophisticated people. Where a

[The Parliamentary Secretary for Defence]

speaker has contravened the condition of a previous licence, Sir, the licensing officers may legally refuse to licence the speaker on a future occasion. It is up to the speaker to see that they adhere to the conditions of the licence.

Hon. Members: Sir, are aware that licensing officers are entitled to refuse a licence or refuse permission to specific speakers if they are of the opinion that a breach of the peace is likely to occur.

With regard to specific cases which were mentioned, I understand that previous speeches by the hon. Members concerned caused the licensing officers to feel that speeches in a similar vein might lead to a breach of the peace in Eldoret and Thomson's Falls area. However, in the time available, I have not been able to obtain precise details.

Mr. Odings: On a point of explanation, I have not spoken at Thomson's Falls or Eldoret. How do they know a breach of the peace was likely?

The Parliamentary Secretary for Defence (Mr. Murgor): Mr. Speaker, Sir, I understood the hon. Members said they were refused licences at Eldoret and Thomson's Falls.

However, in the time available, I have not been able to obtain precise details, and I will be glad to discuss the matter further with the hon. Members concerned.

Mr. Mboya: Mr. Speaker, Sir, the Parliamentary Secretary's reply is totally unsatisfactory. You have ruled that we may not discuss the broad aspects of policy regarding the issuing of licences or banning of persons to speak at public meetings. You have therefore asked us to confine ourselves to specific cases. We put forward two specific cases, that of Eldoret and that of Thomson's Falls, in which the hon. Member for Nyanza Central and the hon. Member for Nyeri were refused permission to speak. In his statement to the House, the Parliamentary Secretary has not said what were the reasons that led to the decision to refuse the hon. Member for Nyanza Central and the hon. Member for Nyeri permission to speak at Eldoret and Thomson's Falls. It is no use indulging in platitudes and slogans about responsible speeches in inflammatory speeches. That is the policy we have been told we may not discuss, but we are asking: what is the reason why on the dates specified the two specified Members were not allowed to speak at Eldoret and Thomson's Falls. The hon. Parliamentary Secretary has tried to suggest that the reason is that the licensing officers in those areas thought there might

be a breach of the peace arising from his experience. Now, this previous experience, Mr. Speaker, must refer to the previous speeches of these hon. Members in those same places, but we have found that the hon. Member for Nyanza Central has in fact never spoken in Thomson's Falls and never spoken in Eldoret, and the licensing officer cannot therefore claim any previous experience with them.

The Parliamentary Secretary for Defence (Mr. Murgor): What about in other places?

Mr. Mboya: The hon. Minister is saying, "What about in other places?" but the fact is, Mr. Speaker, the hon. Member for Nyanza Central has been allowed to speak in other places, so you cannot have your cake and eat it. You cannot say on the one hand that this was the experience in Eldoret and Thomson's Falls, and when you have found they have never spoken there you jump around and ask what about other places. The question is not whether they have been refused permission to speak in other places; the question is why they were refused permission to speak in Eldoret and in Thomson's Falls.

Mr. Speaker, there are conditions governing the issuing of licences. You have to apply for a licence, a licence was applied for. You have to submit the names of the speakers, the names were submitted. You have to secure the signatures of the speakers to the effect that they have agreed to and will speak; that, too, was done. In fact, we have been told that long journeys were involved in getting these signatures. Now having met all these legal requirements of the licence, what were these extra special circumstances on which the decision was taken not to allow these Members to speak? That is the question, and there is no need to come with feeble replies and platitudes. I have not looked it up. Does it take one hundred years for this Government to find out from the District Commissioner of Eldoret why he refused a licence on a certain date? Have our telephone services become so rusty that Eldoret is out of touch, or Thomson's Falls?

We demand the answer.

The Parliamentary Secretary to the Chief Secretary (Mr. Amalamba): Mr. Speaker, Sir, I am not trying to defend one side or the other from what happened in Eldoret or Thomson's Falls. What I would like to say, perhaps, to help the hon. Members who were affected by this particular incident is that as we move along with the transition from an emergency situation into peaceful development, there are some areas which are still touchy and very delicate, and perhaps the best way for the Parliamentary Secretary to overcome this is to promise the hon.

[The Parliamentary Secretary to the Chief Secretary]

Members that he will give the details of what made the licences for the two names not to be approved, and let them have those details. Some of them may be on security grounds and not suitable for public knowledge, but I am sure that if the hon. Members are stopped from holding meetings they are entitled to know why. I am sure the Parliamentary Secretary has given that undertaking.

I have just one little hint, something to help. These branch organizers who invite leading politicians to address their meetings would do better, I think, if they went and saw the district commissioners concerned personally, and give the names of the people who are intending to address those meetings, and get the approval of the district commissioner before they approach the Member who is intended to come and address the meeting. It is very frustrating—I would feel the same—for a branch organizer to ask one to address a meeting when he has not made sure that this particular individual is allowed to speak in that area. It is not only the two hon. Members concerned; there are others who have been stopped addressing meetings elsewhere. I think the assistants of the branch organizers of either party should, particularly when they are inviting speakers from outside their own constituencies, get the district commissioner to say whether there is any objection to so-and-so coming to address a meeting before they approach the individual Member concerned.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, I realize the inconvenience which was caused to the hon. Mr. Odinga on these two occasions.

An hon. Member: On several occasions.

The Leader of Government Business and Minister for Education (Mr. Ngala): There are two occasions as far as the Mover is concerned. However, I would like to make it quite clear that the mere submission for permission to speak somewhere—it should not be taken for granted that the application would be agreed to by the Government. The Mover has made it quite clear that the people who went to his home to tell him that he should speak at Eldoret and Thomson's Falls did not tell him that the district commissioner had agreed or had given the permit for him to speak. All that they said to him was that the district commissioner had asked for his initials to be submitted as a part of his application to speak. He has never said, and he has shown it very clearly,

that after that there was a follow-up to make it quite clear that the district commissioner had issued the permit. I regret that this inconvenience was caused, but according to my story I see that the district commissioner concerned is not at fault at all.

The Government, Sir, does not work by hearsay or word of mouth, and the story which has been given is just because certain organizers somewhere went to a Member, and said that the district commissioner has said this.

I was waiting to hear a clear statement from the Member who has moved this to show that the district commissioner had agreed, but afterwards had changed his mind. This was not very clear to the Government, and I think, therefore, the argument has not a lot of weight as far as I am concerned.

Now, as far as the reasons for the refusal are concerned, the Parliamentary Secretary has made it quite clear that he would give his reasons later on, and he has invited the Mover to see him so that he can give him the reasons. I note that the Member for Nairobi East is impatiently asking for the reasons, and we appreciate that the reasons should be made available to the Mover, and this undertaking has already been given. When a Minister gives an undertaking there is nothing further which can be done. I think, therefore, the organizers of political organizations in different places should make it quite clear that they get the permit before they disturb their Members or their leaders, so that afterwards the leaders are disappointed. It is their fault if they do that.

Mr. Mboya: That is not the question.

The Leader of Government Business and Minister for Education (Mr. Ngala): Mr. Speaker, Sir, I would like to emphasize that we as a Government do not intend to stop any Member addressing the people who want to hear his views, or whatever story he has, I have already said here that we will deal with every case on its merits, and this is still the Government's stand, that every Member will be dealt with on his merits. If the hon. Mover is told the reasons afterwards by the Minister and if he has any other arguments to put forward, against the reasons which were given by the Minister concerned, I am quite prepared to discuss it with him further if he is not satisfied after hearing the reasons.

The hon. Mover has said that somebody is up against his influence. I am sure this is not the opinion of Government at all. Just as we give other Members some opportunities to speak, we

[The Leader of Government Business and Minister for Education]

would like, on merits again, to make this opportunity available to all Members who deserve this opportunity. He deserves this opportunity if he has the merits and the responsibility which go with it.

Mr. Speaker, Sir, I think the fact that the hon. Member spoke in another place and had a bad influence, that is sufficient to limit the Member in speaking elsewhere. The attitude of the Government is that we do not think that any bad influence started in Nyeri should necessarily—

Mr. Odinga: On a point of order, Mr. Speaker, is the hon. Minister inferring that I have a bad influence?

The Speaker (Mr. Slade): I did not hear what you said, Mr. Odinga, so will you say it again?

Mr. Odinga: I said that I take grave exception to these references of bad influences when I speak on this particular Motion, and I would like to know if he is inferring that I have got a bad influence.

The Speaker (Mr. Slade): Mr. Odinga, when you ask for reasons which affect you personally, you must not complain if they are sometimes offensive. You cannot have it both ways.

The Leader of Government Business and Minister for Education (Mr. Ngala): Thank you, Mr. Speaker. I was not implying that the hon. Member had had bad influences in other places. This is a matter which is going to be looked into, and a definite reply will be given to the hon. Mover.

I was answering a question which had been put by the hon. Member for Nairobi East, when he said that we have allowed the hon. Mover to speak elsewhere, and I was putting this as an example in reply to this third point he made. I would also like to emphasize that the hon. Member has moved this as a purely personal Motion, and if we answer in a personal way I hope he will not take it in a bad spirit.

ADJOURNMENT

The Speaker (Mr. Slade): It is time for the adjournment. The Council is adjourned *sine die*.

The House rose at One o'clock.

**WRITTEN ANSWER TO QUESTION
No. 5**

The National Member (Mr. Macleod)
Mr. Macleod (National Member) to ask the Chief Secretary:—

With reference to officers now serving with the Kenya Government who are classified as "Local", although they originally came to Kenya from the United Kingdom as Army personnel, and were selected for service in the Government while still in the Army, who were then sent back to the United Kingdom for discharge, the Kenya Government paying the cost of their passages back to this country, when they had only United Kingdom based Army compulsory overseas service connexions with Kenya:—

- (1) Would the Chief Secretary confirm that such personnel while serving in the Army had no Kenya immigration status and that, therefore, they did not form part of the local employment market?
- (2) If the officers referred to are now classified as "Local", would the Chief Secretary explain why it is that their present immigration status is that of a Temporary Employment pass?
- (3) Would the Chief Secretary confirm that the criterion for classification as "Local" or "Expatriate" is an officer's salary scale, with or without inducement element, irrespective of the officer's true country of origin?

REPLY

1. Under section 9 (2) (a) of the Immigration Ordinance, 1956 (Ordinance No. 35 of 1956), a serving member of Her Majesty's Forces is exempted from the necessity of being in possession of any form of permit or pass or certificate for the purpose of entering and remaining in the Colony. It is, therefore, correct to say that such a person has no Kenya immigration status.

2. All persons seeking to enter and to remain in Kenya must, under the Immigration Legislation, be in possession of some form of pass or a permit issued under that legislation before they can be permitted to enter and remain in the Colony. Such a person would not be eligible for permanent resident status until he, not being of local birth, had completed five years' residence in the Colony and within the preceding eight years.

3. Posts in the Kenya Civil Service are advertised locally in the first instance, and no

recruitment overseas is permitted unless the Civil Service Commission is satisfied that no candidate is available from the local market. Any person, therefore, who applies for and is offered appointment in respect of posts advertised in Kenya is only eligible for appointment on local terms of service, and the question of his immigration status is immaterial.

In certain cases Army personnel, who have applied for and who have been offered employment whilst still in Kenya, have been permitted to return to the United Kingdom to complete their demobilization, and in such cases the Kenya Government has paid their return fare to the Colony on an *ex gratia* basis.

Expatriate terms of service are only paid to persons who are appointed by the Colonial Office or the Crown Agents for the Colonies as a result of their having applied for a post advertised in the United Kingdom when there were no suitable candidates coming forward in the local market.

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12th Council—First Session

VOLUME LXXXVII

11th May, 1961, to 21st July, 1961

Explanation of Abbreviations

Notice of Motion = NoM; Motion Withdrawn = Wdn; Question = (Qn); Written Reply = (WR); Bills: Read First, Second or Third Time = 1R, 2R, 3R; In Committee = IC; Report = R; Consideration of Report = Con.R; Special Instruction = SI.

Abwao, Mrs. P.—
(Nominated Member)

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Alamoody, Shelkh M. A.—

(National Member)

(See also Parliamentary Secretary for Commerce, Industry and Communications)

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Alexander, Mr. R. S.—

(Member for Nairobi Suburban)

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(Temporary Member for Western Kenya)

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(Member for North Nyanza)
(See also Parliamentary Secretary to the Chief Secretary)

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Angalie, Mr. J. H.—
(Member for Meru)

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(Member for South Nyanza)

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Baron, Mr. L. D. A., D.F.C.—

(Nominated Member)

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(Member for Protectorate)

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Blumfeld, Mr. M., M.B.E.—
(Member for Rift Valley)
(See also Minister for Agriculture, Animal Husbandry and Water Resources, The)

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Bridger, Mr. H. R., C.B.E., T.D.—
(Temporary Member for Nairobi South/West)

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 (Member for Mombasa West)
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If any hon. Member on this side interrupts again, he will leave the Chamber, 1041

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Interruptions are not, strictly in order at all; but occasional and well-pointed interjections are allowed and even encouraged; because they enliven debate and often serve to stimulate the Member who is speaking, 1046

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