



Library



Republic of Kenya

Speech

by

His Excellency

Hon. Daniel T. arap Moi, C.G.H., M.P.
President and Commander-in-Chief of the Armed Forces
of the Republic of Kenya

on the occasion of

The State Opening of Parliament

on

Tuesday, 13th March, 1990

**HOTUBA YA MHESHIMIWA RAIS DANIEL T. ARAP MOI,
C.G.H., M.P., KATIKA SHEREHE YA KUFUNGULIWA
RASMI KIKAO CHA TATU CHA BUNGE LA SITA,
JUMANNE, TAREHE 13 MACHI, 1990**

BWANA SPIKA,

Nina furaha kuwakaribisha Waheshimiwa Wabunge katika kikao cha tatu cha Bunge letu la sita. Furaha yetu, hata hivyo haiwezi kuwa kamili leo, kwa sababu kuna mmoja wetu ambaye ametuacha. Marehemu Mheshimiwa Daktari Robert Ouko, aliyekuwa mwenye ufasaha wa maneno katika majadiliano humu Bungeni, alifariki mwezi uliopita. Katika kuomboleza kifo chake, nawaomba Waheshimiwa Wabunge sote tusimame na kunyamaza kimya kwa muda wa dakika moja kwa heshima ya rafiki na mwenzetu ambaye sote tunamwomboleza.

Ahsanteni.

Bwana Spika,

Kikao hiki cha tatu cha Bunge letu la sita kinafanyika wakati ambapo kumetokea mengi ulimwenguni na pia humu nchini. Kuna mafanikio mema ya kusambaa kwa amani katika sehemu mbali mbali za ulimwengu. Mojawapo ya matukio hayo ni mabadiliko ambayo yametokea katika Ulaya ya Mashariki ambayo yanatupatia sote matumaini mema ya kuimarika kwa amani ulimwenguni.

Katika bara letu, kumetokea mambo kadha wa kadha katika sehemu ya kusini mwa Afrika ambayo yanaleta matumaini mema ya ukombozi wa bara letu. Habari za kupendeza kutoka Afrika Kusini ni kwamba Nelson Mandela sasa yuko huru. Vyama vya siasa pia vimepatiwa uhuru wa kuendesha mambo yao. Hatua hizi zitawawezesha watu wa nchi hiyo washiriki kikamilifu katika kupanga hali bora ya maisha. Kwa sasa, tunangojea kwa hamu kubwa siku

ambayo ubaguzi wa rangi utamalizika kabisa, na kuwawezesha watu wa asili mbali mbali nchini humo wawe huru na wenye utu kamili.

Waheshimiwa Wabunge wanafahamu hatua kubwa tulizopiga kimaendeleo humu nchini. Kenya imeupatia ulimwengu dawa ambayo ina matumaini makubwa katika kutibu ugonjwa hatari wa Ukimwi. Wakenya pia wanaweza kukumbuka sherehe tuliyofanya mapema mwezi huu ya kuanzisha motokaa tatu zilizotengenezwa humu nchini. Hii ni mifano miwili ya hatua tulizopiga kimaendeleo ambazo ni za kutia moyo. Hata hivyo, inatubidi sote tukumbuke kwamba hatuwezi kupata manufaa kama hayo tusipokuwa na amani na utengemano. Haitufai kwetu kupuuza amani tuliyonayo, bali inatubidi tujitahidi kuilinda na kuihifadhi amani yetu, kwa sababu hatuwezi kupata maendeleo tukikosa amani.

Tuna kila haki ya kujivunia maendeleo kama haya, lakini inatubidi pia tufahamu kwamba maendeleo kama haya hayawafurahishi maadui wa maendeleo yetu. Wakati kama huu inatubidi sote tuwe macho, na kujilinda na nia mbaya za wale wanaotutakia mabaya. Inatubidi sote tuungane pamoja na kudumisha amani na umoja ili nchi yetu izidi kwenda mbele kimaendeleo. Haitupasi kueneza uvumi usio na maana, bali ni wajibu wetu sote kutumia ujuzi na uwezo wetu vote katika kuimarisha maendeleo yetu.

Waheshimiwa Wabunge wana jukumu kubwa la kuwa msitari wa mbele katika kuimarisha umoja humu nchini. Kenya ya leo haina nafasi ya ugomvi na porojo. Siasa za dhuluma hazifaidi mtu ye yote. Kama Wabunge, inatupasa tuzingatie kwanza mahitaji ya nchi yetu kabla ya kujifikiria sisi wenyewe.

Bwana Spika,

Nimesema mara nyingi kwamba binadamu ndio nguzo za maendeleo yetu. Hakuna maendeleo yanayoweza kuwa na

maana, ikiwa hayafaidi binadamu na kuinua hali ya maisha. Hii ndiyo sababu Serikali inazingatia maongozi ya kuimarisha uhusiano mwema kati ya matajiri na wafanyikazi.

Kuna sehemu kadha wa kadha za sheria zetu zinazohusu maisha ya wafanyikazi. Mojawapo ya sheria hizo ni Sheria ya Viwanda, (Sura ya 514 ya sheria za Kenya). Hii ni sheria ambayo inatubidi tuichunguze mara kwa mara ili kuilinganisha na mahitaji ya watu wetu. Ni sababu hiyo ambayo kumekuwa na mashauri ya mara kwa mara kati ya Serikali, chama cha matajiri na chama cha muungano wa vyama vya wafanyikazi. Kila juhudi inafanywa kuisahihisha sheria hiyo kulingana na mahitaji ya watu wetu. Katika kikao hiki, Waheshimiwa Wabunge wataombwa kuchunguza masahihisho fulani ya Sheria ya Viwanda. Masahihisho hayo yanania kuimarisha usimamizi na mwenendo wa wenye viwanda.

Sheria nyingineyo ni ile inayohusu bima ya wafanyikazi. Sheria hiyo imefanyiwa masahihisho kadha wa kadha tangu ilipoanza kutumika mwaka wa 1949. Hata hivyo, kuna sehemu mbali mbali ambazo bado zinafaa kuchunguzwa. Kwa mfano, kwa wakati huu, ni wafanyikazi wa ujenzi wa nyumba na barabara tu ambao wanatakiwa kulipiwa bima. Sheria hiyo imewaacha wafanyikazi wengine wengi ambao wanafanya kazi za hatari bila bima. Masahihisho yatapendekezwa kuongeza aina ya wafanyikazi watakaolipiwa bima na pia kuziba sehemu kadha wa kadha ambazo hutumiwa vibaya na matajiri kuwadhulumu wafanyikazi wao.

Sehemu nyingineyo ya sheria zetu ambayo haijafikiwa ipasavyo ni ile sheria inayohusu kuhifadhi na kutumia kumbu kumbu zetu. Serikali ilianzisha vituo vya kuhifadhi kumbu kumbu wilayani kama hatua mojawapo ya kurekebisha upungufu huo. Pia, tumeanzisha kituo cha taifa cha kuhifadhi kumbu kumbu ili kuwawezesha wananchi wengi wanufaike

kutokana na utumizi wa maktaba na makavazi. Katika kikao hiki, Bunge litaombwa kujadilia masahihisho kadha wa kadha yanayohusu sheria hii.

Waheshimiwa Wabunge watakubaliana nami kwamba, ni jambo muhimu kwa wafanyikazi wote kujitayarisha kwa maisha yao baada ya kustaafu. Pia ni wajibu wa matajiri kuwasaidia watumishi wao katika jambo hili. Bunge hili litaombwa kujadilia masahihisho ya sheria ya waliostaafu ili kuwapatia manufaa mema zaidi watumishi wa Serikali waliostaafu.

Bwana Spika,

Wataalamu ni wafanyikazi walio na wajibu muhimu katika maendeleo ya nchi. Hata hivyo, wataalamu wanahitaji kuwa na maongozi dhabiti ili waweze kutimiza wajibu wao ipasavyo. Kwa mfano, Serikali ilianzisha halmashauri ya uandikishaji wa wahandisi na sheria ya wahandisi ili kuwe na usimamizi bora wa wafanyikazi hao humu nchini. Lakini, kwa sasa ni wahandisi waliohitimu na wale walio na shahada za vyuo vikuu pekee wanaoandikishwa. Kuna wahandisi wengine wa vyeo mbali mbali ambao wanapaswa kuandikishwa kulingana na masahihisho yatakayowasilishwa katika kikao hiki cha Bunge.

Hati hizo za sheria nilizotaja tayari zimechapishwa na ni matumaini yangu kwamba Waheshimiwa Wabunge wamepata nafasi ya kuzisoma na kuzifahamu. Pia kuna hati nyingine kadha wa kadha ambazo ziko karibu kuwa tayari. Hati hizo zinahusu mabaraza ya wazee ya kutatua matatizo ya ardhi, sheria ya kuwalipa ridhaa watu wanaotoa ardhi yao kwa matumizi muhimu ya kitaifa na pia sheria ya kupanua eneo linaloshughulikiwa na halmashauri ya sehemu za ziwa. Hati nyengine kadha wa kadha zinatayarishwa na zitawasilishwa Bungeni katika kikao hiki. Ni matumaini yangu kwamba Wabunge watapata nafasi ya kusoma hati hizo zote ili kujitayarisha ipasavyo kwa majadiliano humu Bungeni.

Bwana Spika,

Nimeeleza kinaganaga kuhusu baadhi ya mambo ambayo tutakayoshughulikia katika kikao hiki cha Bunge. Hati nyinginezo zitawasilishwa kikao kinapoendelea. Kwa hivyo, tutakuwa na shughuli nyingi katika kikao hiki na itatubidi sote tujitahidi ipasavyo katika kutimiza wajibu wetu. Shughuli za Bunge haziwezi kufanyika vyema ikiwa hakutakuwa na Wabunge wa kutosha. Kwa hivyo, nataka sote tujitahidi katika kikao hiki cha tatu cha Bunge letu la sita kuitumikia nchi yetu kwa bidii na kwa kutoa mawaidha yenye maana kwa kuipenda nchi yetu.

AHSANTENI.

**SPEECH BY HIS EXCELLENCY THE PRESIDENT,
HON. DANIEL T. ARAP MOI, C.G.H., M.P., ON THE
OCCASION OF THE STATE OPENING OF THE
THIRD SESSION OF THE SIXTH PARLIAMENT ON
TUESDAY, 13th MARCH, 1990**

MR. SPEAKER,

I am glad to welcome back Honourable Members of Parliament at the start of the Third Session of our Sixth Parliament. Our happiness is, however, incomplete on this occasion due to the absence of an enthusiastic and eloquent legislator, the late Hon. Dr. Robert Ouko who met his death last month. In mourning his death, I therefore request this House to rise up and observe a minute's silence in honour of our friend and colleague whom we shall all miss dearly.

Thank you.

Mr. Speaker,

The Third Session of our Sixth Parliament takes place at a time when much has happened in the world and within our own borders. Notably, peace and freedom have taken root in various parts of the world. One example, are the changes that have taken place in Eastern Europe which give us all reason to be optimistic about improved understanding within and between nations.

In our own continent, encouraging developments have taken place in southern Africa which will conclude the process of liberation in the continent. The good news from South Africa is that Nelson Mandela is free. The ban on political parties has been lifted. Namibia will soon be an independent nation. These are developments that will pave way for all people in that region to participate in shaping the destiny of free and democratic sovereign states. For now, we look forward to the day when apartheid will be totally dismantled to enable all races in South Africa to live in freedom and human dignity.

Honourable Members are aware of the strides we have made here at home in various areas of human endeavour. Kenya has made its contribution in providing the world with a drug that holds great promise in reversing the effects of the deadly disease, AIDS. Kenyans will also recall the pleasant ceremony in which I unveiled three Kenyan made motor-cars earlier this month. These are two examples of developments which give us all much hope and encouragement. We must, however, always bear in mind the fact that such advances cannot be made in an atmosphere of turmoil. We should therefore not take peace for granted, rather we should always strive to maintain peace and tranquility, without which there can be no development.

These are some of the modest achievements which we must be proud of, but they are also a source of discomfort to our detractors. At a time like this, it is imperative for all Kenyans to be vigilant against possible ill-motives of enemies of our development. We need to close ranks, strengthen our unity and continue to move forward as one united and determined nation. We need not involve ourselves in idle gossip. Instead, we will need to spend more of our energy and time on creative ideas and how to further enhance our development efforts.

Honourable Members of this House will in particular have to set the pace in consolidating our unity. There is no room in present day Kenya for personality clashes and hollow accusations. Political intrigue is of no benefit to anyone. As Honourable Members of this House, we should uphold truth at all times and place the interests of this nation before our own.

Mr. Speaker,

As I have said on many occasions, human beings are, and must remain the focus of all our development effort. Indeed, no development can be worth undertaking if it does not improve the quality of life of wananchi. This is the reason why my Government is committed to the promotion of harmonious working relationships between workers and employers.

Currently, there are several portions of our law that deal with workers welfare. One such law is the Factories Act (Chapter 514 of the laws of Kenya). This is an area which needs to be reviewed constantly in line with the changing needs and aspirations of our people.

It is for this reason that much discussion has been held between my Government, the Federation of Kenya Employers and the Central Organization of Trade Unions. Every effort is being made to make this law more relevant to the changing socio-economic conditions of our people. During this session, Honourable Members will be requested to consider some amendments to the Factories Act, which aim at providing a more up-to-date legislative basis for monitoring the standards of practice by factory owners.

Another related section of our law is the Workmen's Compensation Act. This Act has been amended severally in the past, since it was enacted in 1949. Despite these amendments, however, there remains a number of sections which need to be reviewed. At the moment, for example, it is only employees working in the construction and road transport industries who are required by law to be insured. The provision of this Act have left out many other workers who are engaged in equally risky work. The proposed amendments seek to widen the scope of this law and also seal some of the loopholes that have in the past been exploited by selfish employers.

Another area which has not received the attention it deserves in the past is the preservation and effective use of records and important information about our country. The Government established the district information and documentation centres as part of our efforts to redress this shortfall. In addition we have established the national documentation and information services in order to make archives and library services more accessible to a wider cross-section of the public. Parliament will during this session, be asked to consider some amendments to the Public

Archives Act which will give legal effect to these changes and others, relevant to our needs now and in future.

Honourable Members will agree with me that it is beneficial, and indeed important that our people in employment must prepare themselves fully for a future life in retirement. It is also the responsibility of the employer to provide guidance on the issue. Consequently, some amendments will be made regarding the Pensions Act to provide for improved terms for retired public servants.

Mr. Speaker,

Professionals are an important section of workers in the development process of any country. But in order for professionals to perform their duties well, they need to operate within established rules of conduct. For instance, the Government established the Engineers Registration Board and enacted the Engineer's Registration Act to oversee professional conduct and practice in the country. At the moment, however, the law provides only for the registration of fully qualified engineers and graduate engineers. There are other members of this profession who now need to be catered for in the amendments to be considered during this session of Parliament.

The Bills I have referred to are already published, and I hope that Honourable Members have had time to study them. In addition, there are a number of Bills that are currently in the final drafting stage. The Bills concern such matters as the elders tribunals to hear land cases, the procedures for compensating people whose land is acquired for public use and extension of the area covered by the Lake Basin Development Authority. Another set of Bills are at an advanced stage of preparation and will be brought before the House during the session. I trust that Honourable Members will take time to study them in order to make useful contributions.

Mr. Speaker,

The foregoing is a brief introduction of some of the legislation that will concern us during this session. Additional business will be introduced as the session proceeds. This will therefore be a busy session for us, which should remind us of the need to give the business of this House the priority it deserves. The conduct of business cannot proceed if there is constant lack of quorum. Let us all during this Third Session of the Sixth Parliament rededicate ourselves in serving this country through hard work, constructive ideas and genuine love for our motherland.

THANK YOU.

~~III~~ Overhaul