

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 3rd December, 2019

*The House met at the Senate Chamber,
Parliament Buildings, at 2.30 p.m.*

[The Speaker (Hon. Lusaka) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

VISITING DELEGATE FROM CPA INTERNATIONAL HEADQUARTERS

The Speaker (Hon. Lusaka): Proceed, Sen. Olekina.

Sen. Olekina: Mr. Speaker, Sir, I rise to support this very important Statement by Sen. Mwaruma. If we do not take the issue of mining seriously, we will end up being treated by foreigners the way Zambia and other countries are treated.

I drove from South Africa to Nairobi. In Zambia, the only vehicles you find on the roads are tracks of people ferrying mines of copper out of the country. It is quite sad that my county of Narok has got a lot of wealth, yet it does not translate into real cash because everything leaves the county. It is important that the Cabinet Secretary takes this seriously.

I keep saying that we do not need new laws in this country. What we need is discipline and to implement laws. There is no reason why we should be arguing why an Act that was passed by Parliament and enacted by the President has not been operationalised. It is time we became serious.

Sometimes we talk about issues and set up commissions and institutions to look at what is ailing us. What is ailing Kenya is just indiscipline. The reason why---

Sen. Kinyua: On a point of order, Mr. Speaker, Sir. I would like to know whether there are rules of the hairstyle that people should have. Is the Member's hairstyle acceptable?

The Speaker (Hon. Lusaka): Which Standing Order are you basing your question on?

Sen. Kinyua: Mr. Speaker, Sir, I am just seeking guidance.

The Speaker (Hon. Lusaka): We do not have anything to guide us on whether you should shave all the hair or just let it grow if you want. Proceed Olekina.

Sen. Olekina: Mr. Speaker, Sir, the problem is that some of our friends--- Let me let it pass because I spent 40 minutes every morning with my barber called Omosh to look this good.

The Speaker (Hon. Lusaka): Sen. Olekina, please proceed with your point. You are worsening the situation.

Sen. Olekina: It is a nuisance! I was trying to prosecute an important matter but my dear colleague decided to interrupt me. Maybe he should visit Omosh at Flair by Betty and I know he will take good care of him.

Mining can get us out of poverty in this country. I hope that the concerned Committee will take this matter seriously, so that we ensure that at least we instill some form of discipline in terms when it comes to legislation.

I can see Sen. Haji is here. I congratulate him for doing a good job. Maybe he should tell us that it is not that we do not have legislation in this country. It is because of lack of discipline because institutions do not implement resolutions passed. Although the Building Bridges Initiative (BBI) brought us together, we would not have needed that if most legislation had been implemented.

This is a matter that I hope and I do pray that the Cabinet Secretary will take seriously once he is asked to provide this information. This will ensure that for once in the history of this Parliament we can convert mines into dollars for the common *mwananchi*.

Mr. Speaker, Sir, the gap between the rich and the poor is getting wider and wider. I dare say that some of us politicians are the ones in business with those miners from outside the country who are raping our country. If we are serious, we should ensure that everybody benefits.

I thank you, Mr. Speaker, Sir.

Sen. Olekina: Thank you, Mr. Deputy Speaker, Sir. This is a matter of concern, although I will not take the radical position that my senior, whom I respect, has taken. This is a matter that requires the Office of the Speaker to have a sitting with the Speaker of the National Assembly to discuss it. These amendments are things which should have been done a long time ago.

Sometimes when you meet Members of the National Assembly, they try explaining to you what your role is. The other day, I was sitting with a Member of the National Assembly, and he was saying that the National Assembly enacts legislations while the Senate participates in the law making function. I consulted my senior, Sen. Mutula Kilonzo Jnr., and he said that the role of Parliament is in Article 94, which is very clear.

Mr. Deputy, Speaker, Sir, I beseech you to find some time and sit down with the Speaker of the National Assembly and agree. When I came to this House, I was extremely active from the onset in making sure that I bring Business to this House and develop legislation. However, you get discouraged because--- I do not think that I would go the radical way of stalling their legislation, because these are things that affect Kenyans.

Mr. Deputy Speaker, Sir, the issue of milk is affecting every other Kenyan out there. As we continue with this, I beseech you to find some time and consult with your colleague.