

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Friday, 26th June, 2020

Special Sitting

*(Convened via Kenya Gazette Notice
No.4235 of 24th June, 2020)*

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

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

PRAYER

Sen. Olekina: Mr. Speaker, Sir, I thank you. I rise to congratulate the young distinguished Senator for Kakamega who did this House proud, and my good friend, the Vice Chairperson, Sen. Halake. If the Committees in this House take time and read through this Report, we can follow up to ensure that the people of Kirinyaga get justice.

There are different things that have been alluded to here like the testaments that were made by the witnesses, including the issues of health. I hope the Committee on Health, which I sit in, will follow up and go check them out. Article 226 (5) of the Kenyan Constitution is very clear. It clearly states that if any holder of a public office misappropriates funds, he is accountable. I heard the Chairperson clearly state that there are certain officers who have been recommended to step aside so that they can be investigated.

I want to reiterate what I said from the beginning, that the management of a county is a collective responsibility. This is enshrined in the Constitution under Article 179. I want to remind the County Executive Committee members (CECs) in Kirinyaga and all 47 counties that they are responsible for whatever happens in the counties. In fact, if the Governor was found to have committed an offence, under Article 179(7), all those CECs would have gone home. Therefore, this is a collective responsibility. I find that this Committee did a fantastic job. I will spend some time and read through this Report so that I can contribute more in my Committee.

Finally, Mr. Speaker, Sir, this is something that is one of my pet peeves. Some of these MCAs have no clue on the rule of law. How can somebody say that imprest was not surrendered? It is not in their jurisdiction. I plead with any officer to spend some time and familiarize themselves with the rule of law because imprest is supposed to be recovered. If you do not surrender within seven days, it is supposed to be recovered.

(Applause)

Sen. Olekina: Mr. Speaker, Sir, sometimes I think that some people sleep in this House when we are talking. My statement was very clear

The Speaker (Hon. Lusaka): Order, Sen. Olekina!

(Sen. (Dr.) Langat stood up in his place)

Order, Sen. (Dr.) Langat! I have not given you a chance. Sit down.

Sen. Olekina, that is unparliamentary, so can you withdraw and apologize?

Sen. Olekina: Mr. Speaker, Sir, I remember clearly---

The Speaker (Hon. Lusaka): Withdraw and apologize!

Sen. Olekina: Mr. Speaker, Sir, as I am guided by you, there is nowhere in my statement that said Sen. (Dr.) Langat was sleeping.

The Speaker (Hon. Lusaka): Order, Sen. Olekina!

Sen. Olekina: Mr. Speaker, Sir, as I respect your guidance and withdraw that, I want to remind the people of this country that the only way that we can ensure that everyone gets justice is if we, as citizens, familiarize ourselves with the law. This is because we keep pointing fingers. You point a finger and say: "Oh, this was not done, this was not substantiated."

I want to repeat what the Senate Majority Leader said here. It is absolutely ludicrous and ridiculous for our colleagues to go on social media and post saying, "the House of Sanitization". Let us have some respect. Otherwise, if we do not respect this House, you might as well fold and go back home.

Finally, the law is clear. If somebody committed a crime, and there are recommendations here, those investigating agencies should now get an opportunity to proceed. The Kenya Revenue Authority (KRA)-