

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Tuesday, 28<sup>th</sup> March, 2017**

*The House met at the County Assembly Chamber,  
Malindi Town, at 2:30 p.m.*

*[The Deputy Speaker (Hon. Mwambire) in the Chair]*

**PRAYERS**

**MOTION**

ADOPTION OF THE REPORT ON QUARRY VISITS

**Hon. Matsaki:** Mr. Speaker, Sir, I wish to table a Motion;  
THAT, the House adopts the Report of the Committee on Justice and Legal Affairs on quarry visits laid on the Table of this honourable Assembly on Tuesday, 14<sup>th</sup> March, 2017.

I call upon hon. Nixon Mramba to second. Thank you.

*(Hon. Mramba seconded)*

*(Question proposed)*

**Hon. Mramba:** Thank you, Mr. Speaker. As a Member of the Committee on Justice and Legal Affairs, I wish to submit that we conducted the visit to the quarries in Tezo and we came across things which were not good for the workers. In various quarries, the workers were working under very harsh conditions because they did not have protective gears while other areas were very dusty. Even payments were below the required labour laws.

We had a tour and we visited all the quarries and came up with recommendations which every Member can go through. I believe every Member will agree that the Committee did a wonderful job. It is headed by hon. Valentine Matsaki Mwamanga who is elderly and brings a wealth of experience to this Assembly. To be honest, we do not want to miss this old man here and I even appeal to the people of Kambe Ribe to re-elect him to this Assembly because he is very wise and doing a good job. Therefore, I beg to support the adoption of this Report. Thank you.

**Hon. (Ms.) Barka:** Asante mshimiwa Spika. Nimesimama kuunga mkono Ripoti hii iliyotoka kwenye Kamati ya Haki na Sheria. Ni kweli tulipata fursa ya kutembelea maeneo na haswa mimi mahali ambapo palinigusa zaidi ni kimazingira. Mazingira ya wafanyikazi wale yalikuwa si mazuri kulingana na mujibu wa sheria; nafikiri kila idara iko na sheria zake. Maeneo yale kuna watu wengi lakini hakuna sehemu za watu kujisaidia; wanajisaidia kiholela. Wenye

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

kuhusika na timbo kama zile tunaomba kama itawezekana, hii Ripoti yetu vile tulivyoandika itekelezwe kama ilivyo maana katika Ripoti hii kuna faa kuwa na vyoo vya kujisaidia.

Tukiangalia upande mwengine mbali na malipo, kuna maagano ambayo yalikuwa yapo kabla watu hawajaanza kazi. Kuna vitu walikuwa wapewe mbali na *gears*; baada ya kazi wapewe maziwa haswa kutoka kwa kampuni ya *Coast Development*. Hiyo ni moja wapo kati ya kampuni ambazo tuliziandika na kuingia katika mkataba nasi. Wakimaliza kufanya kazi kwa sababu ya vumbi wapewe maziwa. Hawajawahi kupewa maziwa, hawajawahi kupewa maji safi ya kunywa, na tukiangalia kwa upande wa mazingira wamechimba mpaka kwenye barabara. Yaani ukiwa mgeni wa maeneo yale unaweza kuanguka kwenye mashimo.

Kwa hivyo, tunaomba Bunge hili liangalie Ripoti hiyo kwa kina na kuangalia zile sehemu ambazo hazifurahishi kabisa kwa usalama wa binadamu. Naomba Bunge hili tupitische Ripoti hii kwa pamoja. Asanteni.

**Hon. Foleni:** Thank you, hon. Speaker. First and foremost, I would wish to join my colleagues in congratulating my able Chairperson hon. Valentine Matsaki Mwamanga. He led this Committee through all the processes as we looked into the various issues affecting the quarries within my area. I want to retaliate that this hon. House should rise above the recommendations and regulations that the Committee made. If I am to touch on a number of issues, we have about 41 quarries within Tezo and the aspect of CSR (Corporate Social Responsibility) has been too low. We have had a number of them not ready to rehabilitate some of the dilapidated quarries within Tezo Ward. A number of them have been unwilling to help the activities that we have in Tezo Ward including construction of schools, dispensaries and even payment of school fees.

There is one company by the name EPCO, hon. Speaker, Sir. It is worth saying that EPCO as a company has done a lot in terms of CSR and I feel if this House passes this Report, each and every quarry can also participate in a number of community activities and it will be a relief to the people of Tezo. I also want to mention that we have a number of companies like EPCO and CDA that have been contributing supplementary food to the schools within my ward. However, I am sad to report to this House that 39 of them are doing nothing.

Hon. Speaker, Sir, there is also the aspect of poor wages where we have a number of variations. You will find that quarry A pays lower than quarry B. As a matter of fact, this House should help by passing this resolution so that we have a harmonized wage structure within the quarries. This poses a number of challenges especially to the Committee on Implementation headed by hon. Nixon Mramba. Once this has gone through, he should fast track the implementation of the same.

Hon. Speaker, Sir, as we go into campaigns, if hon. Mramba and his team can be able to implement it as fast as possible, then it might be a relief to some of us who want to be here in 2017 and 2022. Thank you hon. Speaker, Sir. I beg to support this Report.

**Hon. Kenga:** Thank you very much Mr. Speaker, Sir. I beg to offer my support to the adoption of the Report that is before us today. Looking at the findings that were made by the Committee through observations and other methods that were used in coming up with these findings, one of the issues was the safety and the health of the workers who engage in the quarry business. The Constitution is very clear that every individual has a right to access the highest level of health standards and we cannot guarantee the health of people in this republic if we are not taking care of their safety in the areas of their work.

Mr. Speaker, Sir, we cannot guarantee the health of people if we do not provide sufficient toilets. One of the issues that came out very clearly from the findings is that they did not have

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

toilets for both ladies and gentlemen employees. I do not know how they used to attend to the call of nature because no toilets were seen in these places. Therefore, these people are exposed to various diseases and issues that can affect their lives.

Again, there is the right to fair labour practices that is also anchored in the Constitution. We are seeing a situation where there is no harmony in the pay structures as given out by the Member of the ward. The figures that are paid to employees doing the same kind of job vary. We need to see fairness in all this so that we are able to empower our people. The other aspect that was lacking was the issue of rehabilitating the environment.

When you dig quarries, it exposes the area to various environmental issues and the issue of planting trees and conserving the environment is very paramount when the land is cleared. Quarries are dug then nothing is done to reclaim the area in terms of planting trees; that is not the right way for us to move since it is destroying the environment for generations to come. I have looked at the recommendations and I am convinced that the wealth of wisdom that the Chairperson possesses has made sure that this Report is very different from the Report that we handled in the morning.

I wish hon. Matano was present to see how Reports are done and for the Committee Members of other Committee to be able to improve on their way of doing Reports, so that we can have work that meets the threshold and is acceptable in this County Assembly. I also wish to request the people of Kambe-Ribe to give the Chairperson another opportunity to serve in 2017 to 2022 period. I beg that we support this Report. Thank you very much.

**Hon. (Ms.) Chiku:** Thank you very much Mr. Speaker, Sir. I rise to support the Report and also to congratulate the Committee which visited these quarries in Tezo Ward in this County. I think we should take note of this Report because it has actually highlighted a lot of things which are very important especially on the workers side. A lot has been said about the toilets and I also like to agree with hon. (Ms.) Barka about employees being given milk. This is a must because once a human being is exposed to such environment, there are a lot of salt minerals that he is losing and they are supposed to be replaced by milk. This should not only be to Coast Development Authority quarries but should be mandatory to all quarries.

Mr. Speaker, Sir, also in the Report the issue of noise pollution was left out and I would like this House to take into consideration that all these are rectified through the relevant Committees. It is sad that these quarries are operating and they are not following the Public Health Act. It is sad that a company can start operating without meeting the Public Health Act. That is something that we should also follow up on. Let this Report not be just a piece of paper. The County Government should also come and protect the individual quarry operators. For a long time we have wanted to come up with a cooperative for these individuals who normally work in quarries and then they are conned by the middle men.

This is also a source of earning a living and if we control our quarries in this county, then our people will be able to earn more than being conned by middle men. In other counties like Meru, you cannot just walk in and come out with a lorry of miraa. Everything is being controlled by people in that area. Thank you, Mr. Speaker, Sir. Allow me to take my seat.

**The Deputy Speaker** (Hon. Mwambire): Hon. Members, there being no other Member who wants to contribute, allow me to call upon the Mover to respond.

*(Question, that the Mover be now called upon to reply, put and agreed to)*

**Hon. Matsaki:** Mr. Speaker, Sir, first I want to take this opportunity to congratulate all the Members who have supported this Motion and those who did not get time to speak. I am sure even if they were given that chance they would have supported the Motion. I think this Report is overdue because we started this process last year but here we are.

I am sure when this Report is passed by this honourable House it shall be of help to our people down there. Mine is just to ask the hon. Members seated in this House to make sure that we pass this Motion so that our people can benefit from it. Thank you, Mr. Speaker, Sir.

**The Deputy Speaker** (Hon. Mwambire): Hon. Members, I now put the question.

*(Question put and agreed to)*

### **ADJOURNMENT**

Hon. Members, there being no other business to transact at the moment, this House adjourns until tomorrow Wednesday, 29<sup>th</sup> March, 2017 at 2:30 p.m. Thank you very much.

**The House rose at 3:00 p.m.**