

# **NAKURU COUNTY PUBLIC OPINION CONSULTATIVE INITIATIVE**

**P.O Box 10076, Nakuru. Cellphone 0720988086**

**Promoting public discourse in governance issues**

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## **PRESENTATION AT MAIN VALIDATION MEETING OF STATE DEPARTMENT OF MINING'S FRAMEWORKS & INSTRUMENTS IN THE MINING SECTOR AT SAROVA PANAFRIC HOTEL, NAIROBI, ON JUNE 19, 2019**

### **BRIF INTRODUCTION**

Nakuru County Public Opinion Consultative Initiative (NCPOCI) is a public policy advocacy watchdog organization with keen interest in all governance issues including mining at the National Government of Kenya and County Government of Nakuru.

This presentation is a summary of the key highlights of our oral recommendations, suggestions, proposals and comments during the State Department of Mining Nakuru County Public Participation forum in Nakuru Town on June 10, 2019.

The five (5) thematic reference issues of study and research of these noble frameworks and instruments are captured as follows as per our very valid and objective recommendations, suggestions, proposals and comments;

#### **(a) DRAFT GENDER STRATEGY AND ACTION PLAN**

We appreciate the fact the State Department of Mining has now seen it fit to involve women in the Kenya Mining Sector to directly benefit from mining activities as investors, workers or as community people.

The consultant has done an in-depth analysis and research on this matter and we hold the common view that this is a good report that can be implemented to make this sector not only vibrant but also of value to the very hard working women of Kenya.

## **(b) DRAFT STRATEGIC PLAN 2018 – 2022 FOR THE MINING SECTOR IN KENYA**

Our observations is that this five (5) years action program is borne out of the good intentions of top officials and staff of this department to among others fully regulate the sector and anchor better policies that are consistent with the challenges of modern times.

The same can go a long way to promote collaborations and linkages with stakeholders and partners both local and foreign besides promoting heightened interest in the mining sector among communities that are directly and indirectly affected by mining activities.

We totally support this plan because a majority of Kenyans will now benefit from mining because of the anticipated good governance in the sector.

However, we are of the view that this will require immense **political good will** and intensive **capital injection** in the State Department of Mining by the National Treasury.

## **(c) DRAFT KENYA NATIONAL MINING INSTITUTE**

We find this to be a timely and commendable venture. We propose that adequate funds be set aside to establish the same may be after the next two years to among spur studies in mining and all its related fields.

We further propose that local and foreign universities to accord it the necessary collaborations and partnership and too that students graduating from this institution be absorbed in this State Department for attachments internships and permanent employment.

## **(d) DRAFT COMMUNITY DEVELOPMENT GUIDELINES**

We are in total support of these guidelines that sets out a clear framework on how communities will benefit from mining activities within their areas.

However we are opposed to over representation among politicians MPs, MCAs etc. and zero slots for professionals including lawyers, clinical officers and environment experts. Also the one percent **(1%)** that the mining entity will donate is a peanut. Otherwise five percent **(5%)** can be ideal.

### **(e) DRAFT MINING (LOCAL EQUITY) REGULATIONS 2019**

To us the most remarkable provision of these regulations is the requirement for foreign mining companies to list at the Nairobi Stock Exchange three years after starting doing mining business in our country to cede some of their huge profits to Kenyans as dividends.

However, we want the percentage of the shareholding of Kenyans in those companies be increased from five **(5%)** to ten **(10%)**

### **CONCLUSION**

We propose that the same be unanimously adopted in this meeting for it to be either gazetted by the Mining Cabinet Secretary or passed by Parliament.

We take this opportunity to salute the State Department of Mining for subjecting this process to Public Participation as is provided by Kenya Constitution 2010.

**Signed in Nakuru Today 14/6/2019**

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Daniel Murugu

Secretary

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