

PARLIAMENT
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27 MAR 2018

EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY

27 MAR 2018

**MOVED UNDER ARTICLE 40 OF THE TREATY AND SECTION 20 OF THE
ASSEMBLY POWERS AND PRIVILEGES ACT**

**RESOLUTION OF THE ASSEMBLY GRANTING HON. FRED MUKASA MBIDDE OR
ANY OTHER MEMBER TO INTERVENE AND TO USE RECORDS OF THE HOUSE AT
THE EAST AFRICAN COURT OF JUSTICE IN (CASE REFERENCE NO. 02 OF 2018)**

**By Hon. Fred Mukasa Mbidde and adopted by the House on Wednesday 7th
March 2018.**

WHEREAS the 4th Assembly was duly convened for the 1st Meeting of the 1st Session of the 4th Assembly vide the letter of the Clerk dated 1st December 2017;

AND WHEREAS the Assembly duly met from 18th - 23rd December 2017 to perform its inaugural activities in line with the provisions of the Rules of Procedure of the Assembly, specifically Rules 4, 5, and 6;

AND WHEREAS it has come to the knowledge of Hon. Mbidde Mukasa Fred that, the aforesaid processes that were duly undertaken by the Assembly in line with its mandate under its Rules are now a subject of Court proceedings in the East African Court of Justice under Reference No. 02 of 2018 filed by the Attorney General of the Republic of Burundi versus the Secretary General of the Community. The subject matter of the case being that the Attorney General of the Republic of Burundi is challenging the election of Speaker;

CONVINCED THAT the matters raised in the reference touch on the sanctity of the Assembly within its jurisdiction and therefore it should be well represented in Court, the absence of which may lead to a misrepresentation of the Assembly. It is therefore, of utmost importance to enjoin Hon. Mbidde as an intervener to the case Reference No. 02 of 2018;

GUIDED HOWEVER BY Article 40 of the Treaty and Section 20(1) of the Assembly Powers and Privileges Act 2003; thus:

"Notwithstanding the provisions of any other law, no member or officer of the Assembly and no person employed to take minutes or record evidence before the Assembly or any Committee shall, except as provided in this Act, give evidence else-where in respect of

Committee shall, except as provided in this Act, give evidence else-where in respect of the contents of such minutes or evidence or of the contents of any document laid before the Assembly or such a Committee, as the case may be, or in respect of any proceedings or examinations held before the Assembly or such a Committee, as the case may be without the special leave of the Assembly first had and obtained in writing”;

FURTHER GUIDED BY Rule 23 of the Assembly Rules of Procedure which stipulates the manner and processes through which Journals and Records of the House, including all papers and accounts presented to or belonging to the House, are kept, processed or transmitted only under the express leave of the House, or order of the Speaker. The documents/Records of the House in respect of the Court being which the Member intends to use being:-

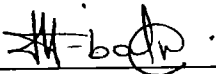
1. The letter of the Clerk of the East African Legislative Assembly convening the First Sitting of the 4th Assembly in December 2017 for purposes of subjecting the Members to Oath or Affirmation of allegiance.
2. The Proceedings of the 1st Meeting of the 1st Session of the 4th Assembly presided over by the Clerk. (The Hansard of December 2017).
3. All the documents related to the travel itinerary of the Members and related expenses facilitating Members to attend the swearing in function in December 2017.
4. The list of Members of the 4th Assembly as Tabled by the Clerk during the inauguration sitting.
5. Nomination Papers of all candidates who were nominated for Speakership and the Members who nominated/seconded them in December 2017.
6. The Proceedings and the results thereof of the Election of Speaker in December 2017.
7. Any other documents/materials related to the 1st Meeting of the 1st Session of the 4th Assembly and the constitution of Committees.



NOW THEREFORE, THIS HOUSE DO RESOLVE TO:-

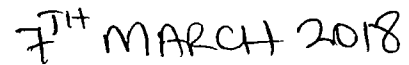
1. Grant leave to Hon. Fred Mukasa Mbidde and any other Member of the Assembly who may want to intervene, and/or appoint lawyers to represent it in the case reference No. 02 of 2018 in the East African Court of Justice.
2. Grant leave to Hon. Fred Mukasa Mbidde to use the records of the House in Case reference No. 02 of 2018.

CERTIFIED BY:



Alex Obatre

For: CLERK OF THE ASSEMBLY



DATE:



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**RESOLUTION OF THE ASSEMBLY TO SAVE, RETAIN AND CONTINUE IN THE
ASSEMBLY BILLS THAT WERE INTRODUCED IN THE 3RD ASSEMBLY**

*(Moved under Articles 49(1), 59(1) of the Treaty Rule 26 and 94 of the Rules of
Procedure of the Assembly)*

**By Hon. Ndagiza Fatuma, Chairperson Legal, Rules and Privileges and
adopted by the House on Wednesday 14th March, 2018.**

WHEREAS Article 49(1) of the Treaty provides for the Assembly as the legislative organ of the Community which enacts the legislation of the Community by means of Bills debated and passed by the Assembly;

WHEREAS in accordance with Article 14(3)(b) of the Treaty, several Bills were initiated and submitted to the 3rd Assembly by the Council of Ministers and other Bills were submitted to the 3rd Assembly by private members of the 3rd Assembly in accordance with Article 59(1) of the Treaty;

AND WHEREAS Article 51(1) of the Treaty read together with Section 11 of the East African Legislative Assembly Elections Act, 2012 provide for the Assembly to stand dissolved upon the expiration of its 5 year term;

WHEREAS the 5 year term of the 3rd Assembly expired in June, 2017;

AND WHEREAS Rule 94 of the Rules of Procedure of the Assembly provides for the lapse of any Bills, Motions and other business pending before the Assembly at the time of dissolution of the Assembly;

RECOGNISING that the lapsing of business before a legislature at the time of expiration of the term of the legislature is deeply embedded in the long-standing parliamentary principle that provides that one Parliament cannot bind another Parliament;

FURTHER COGNIZANT of the fact that at the time of the expiration of the term of the 3rd Assembly in June, 2017, there were nine (9) Bills that had been introduced in the Assembly which the Assembly was not able to pass due to the expiration of the term of the 3rd Assembly;

WHEREAS the process of initiating and submitting Bills in the Assembly by the Council and by private members is very consultative within the Partner States, elaborate and takes a lot of time and financial and technical resources of the Community and as such any Bills submitted to the Assembly by the Council should not be lost as a result of the expiration of the term of the Assembly;

AND WHEREAS Rule 94 of the Rules of Procedure of the Assembly provides for any Bill, motion or business of the Assembly at the time of dissolution of the Assembly to be saved and retained in the Assembly if the Assembly passes a Resolution to retain the Bills or motions in the Assembly;

NOW THEREFORE BE IT RESOLVED BY THE ASSEMBLY AS FOLLOWS:-

THAT in accordance with Article 49(1) of the Treaty and Rule 94 of the Rules of Procedure of the Assembly, the Assembly saves and retains the following Bills that were pending before the 3rd Assembly in June, 2017:

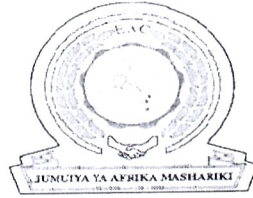
1. The East African Community Whistleblowers Bill, 2016;
2. The East African Community Retirement Benefits for Specified Heads of Organs Bill, 2016;
3. The East African Community Sexual and Reproductive Health Bill, 2016
4. The East African Community Competition (Amendment) Bill, 2015
5. The East African Community Trade Negotiations (Repeal) Bill, 2014;
6. The East African Youth Council Bill, 2017;
7. The East African Community Cross Border Trade in Professional Services Bill, 2017;
8. The East African Community Mining Bill, 2016;
9. The East African Community Integration and Anti-Corruption Bill, 2016.

CERTIFIED BY:



Kenneth Madete
CLERK OF THE ASSEMBLY

DATE: 14TH MARCH 2018



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

**RESOLUTION OF THE ASSEMBLY TO GRANT LEAVE TO HON. CHRIS OPOKA-OKUMU
TO INTRODUCE A PRIVATE MEMBER'S BILL**

By Hon. Chris Opoka – Okumu and adopted by the House on the Wednesday 14th
March, 2018.

WHEREAS Article 59 of the Treaty for the Establishment of the East African Community empowers any Member to propose any motion or introduce any Bill in the Assembly;

AND WHEREAS Rule 64 of the Rules of Procedure of the Assembly reinforces the right of every Member to move a Private Members Bill;

NOTING THAT Rule 26 of the Rules of Procedure of the Assembly have been duly complied with giving notice seeking leave of the House to introduce a private Members Bill that is aimed at enhancing and streamlining purchase and use of exempt vehicles under the EAC;

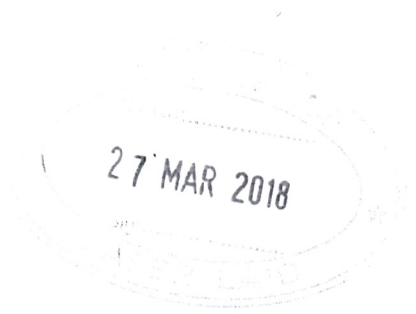
NOW THEREFORE THIS ASSEMBLY, DO RESOLVE TO:

Grant Leave to Hon. Chris Opoka- Okumu to introduce a Private Members Bill entitled: ***“The East African Community Customs Management Act (Amendment) Bill, 2018”***.

CERTIFIED BY:

Kenneth Madete
CLERK OF THE ASSEMBLY

DATE: 14th MARCH 2018



**EAST AFRICAN COMMUNITY
EAST AFRICAN LEGISLATIVE ASSEMBLY**

FOURTH MEETING – FIRST SESSION - FOURTH ASSEMBLY

**PROVISIONAL PROGRAMME FOR PLENARY
AND STANDING COMMITTEES**

8th - 28TH APRIL, 2018

DODOMA, UNITED REPUBLIC OF TANZANIA

DAY/DATE	TIME	ACTIVITY	VENUE
Sunday 08/04/2018	All Day	Arrivals	Arusha
Monday 09/04/2018	All Day	Travel by Road to Dodoma	Dodoma
	9:30 am - 2:00 pm	• Commission	Committee Room A
Tuesday 10/04/2018	9:30 am - 12:30 pm	• Committee on General Purpose	Committee Room A
	12:30 pm - 1:00 pm	• Press Conference	TBC
	2:30 pm - 6:30 pm	• Committee on Communication, Trade and Investment	Committee Room B
Wednesday 11/04/2018	9:30 am - 12:30 pm	• Committee on Legal, Rules and Privileges	Committee Room A
	2:30 pm - 6:30 pm	• Committee on Regional Affairs and Conflict Resolution	Committee Room B
Thursday 12/04/2018	9:30 am - 12:30 pm	• Committee on Agriculture, Tourism and Natural Resources	Committee Room A
	2:30 pm - 6:30 pm	• Committee on General Purpose	Committee Room B
Friday 13/04/2018	9:30 am - 12:30 pm	• Brief to Members on EALA SACCO	Committee Room A
Monday 16/04/2018	9:30 am - 12:30 pm	• Committee on General Purpose	Committee Room B
	2:30 pm - 6:30 pm	• Committee on Legal, Rules and Privileges	Committee Room A
Tuesday 17/04/2018	9:30 am - 12:30 pm	• Committee on Communication, Trade & Investments	Committee Room B
	2:30 pm - 6:30 pm	• Plenary - Special Sitting (TBC)	Chamber

Wednesday 18/04/2018	9:30 am - 12:30 pm	• Committee on General Purpose	Committee Room A
	2:30 pm - 6:30 pm	• Plenary	Chamber
Thursday 19/04/2018	9:30 am - 12:30 pm	• Committee on Regional Affairs and Conflict Resolutions	Committee Room B
	2:30 pm - 6:30 pm	• Plenary	Chamber
Friday 20/04/2018	9:30 am - 12:30 pm	• Outreach activity	TBC
Monday 23/04/2018	9.30 am - 12:30 pm	• Commission	Committee Room A
	2:30 pm – 6:30 pm	• Briefings on services by AAR & BRITAM Insurance	Committee Room B
Tuesday 24/04/2018	9:30 am - 12:30 pm	• Committee on General Purpose	Committee Room A
	2:30 pm - 6:30 pm	• Plenary	Chamber
Wednesday 25/04/2018	9:30 am - 12:30 pm	• Committee on Agriculture, Tourism & Natural Resources	Committee Room B
	2:30 pm – 6:30 pm	• Plenary	Chamber
Thursday 26/04/2018	9:30 am - 6:30 pm	• Official functions by the Government of the United Republic of Tanzania	TBC
Friday 27/04/2018	All Day	Travel by road to Arusha /Departures	Arusha
Saturday 28/04/2018	All Day	Departures	