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THE NATIONAL ASSEMBLY
11TH PARLIAMENT, 2ND SESSION

REPORT OF THE PROCEDURE AND HOUSE RULES COMMITTEE
ON REVIEW OF STANDING ORDER 44 ("STATEMENTS") AND
ACTUALIZATION OF PROVISIONS OF ARTICLE 153 OF THE
CONSTITUTION OF KENYA



The Clerk of the National Assembly
Parliament Buildings
Nairobi

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Paper laid
By the Hon T. J. Kagwanja
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FOREWORD

The Procedure and House Rules Committee was constituted by the House on April 24, 2013 pursuant to provisions of Standing Order 208. The Committee is mandated to, amongst other matters, “*consider and report on all matters relating to the Standing Orders*”. The Committee is also mandated to propose amendments to the Standing Orders for consideration by the House. Further, the Committee may, from time to time, propose rules for the orderly and effective conduct of business of Committees.

One year into the Eleventh Parliament, the Committee has been receiving representations from you honourable Members on the many challenges you are facing in your oversight work. You will recall that in 2010, during the course of the Tenth Parliament, the country promulgated a new Constitution. This changes occasioned a shift from a parliamentary to a presidential system of Government. Amongst the outcomes of the changes on the Legislature was a departure from part of the parliamentary procedures and practices, one of which was Ministers’ replies to Statements in the House and the celebrated parliamentary Question Time. However, even with this departure, Members of Parliament in the National Assembly continued to find ways of effectively implementing Article 95(2) of the Constitution, which vests the National Assembly with the role of deliberating and resolving issues of concern to the people.

This change has been fully felt during the First Session of the Eleventh Parliament, due to the absence of Ministers in the House, and the phasing out of Question Time. Members have had to seek answers to matters affecting their respective constituencies through Statements; a new phenomenon provided for in the Standing Orders of 2013. This amendment had been effected in the rules of procedure with the anticipation that the shift to a presidential system would move

the focus for presentation of issues raised by Members to the Committees rather than the plenary of the House.

However, this practice has presented numerous challenges hence the need for ongoing efforts to actualize the provisions of Article 153(3) and (4) of the Constitution in a more pragmatic manner. By the end of the First Session, requests for Statements as stipulated under Standing Order 44 totalled over 400. In the Second Session, within eight weeks of sittings, over 200 requests for statements had been made, others of which were still awaiting Speaker's approval.

It was observed in 2013 that the use of Standing Order 44 by Members was evolving into a mode for re-introduction of Questions in the House, notwithstanding a ruling issued by the Speaker in June 2013 issuing guidelines on Statements. In addition, the Leader of the Majority Party and the Committee Chairpersons appeared to be holding brief for the Executive while responding to requests for Statement, yet the Executive and Legislature were now de-linked. Further, responses from Committees are taking too long to be presented, frustrating Members.

Some Committees were spending majority of their time investigating and responding to Statement requests, instead of focusing on salient legislative matters under their mandates such as budget scrutiny and review of Bills. It has been argued, quite rightly, that the system of requiring Committee Chairpersons to reply to questions has bestowed on the Chairpersons superfluous roles whose output may not be measurable as these roles obviously belong to the Executive. The ambiguity is further compounded by the fact that the Chairpersons should offer leadership when their respective Committees offer oversight on the functioning of the Executive, as opposed to being seen to "hold brief" for the members of the Executive.

Invariably, parliamentary Committees do not have the technical expertise or mechanisms required to carry out specialised investigations on some matters raised through request for Statements. There was therefore critical need for a review of the usage of Statements as currently existing under Standing Order 44, to provide adequate opportunity for Members to raise their issues and have them responded to in a smooth, balanced manner, and to address the challenges identified in this report.

The current practice where Committees are handling the work of interrogating requests for Statements is untenable, as it attempts to make Members of Parliament take up roles of the Executive. This is unsustainable in the long term, especially in the event of a Minority Government, where the President's party has a minority in the House.

That notwithstanding, Statements do relate to a Member's mandate to oversight and to represent. In fact, Article 153(3) of the Constitution provides for Committees to summon Cabinet Secretaries to answer questions under their mandate. It should be emphasized that Questions are not inquiries or investigations, they are only requests for answers, and hence the need to provide a mechanism on how these engagements between the Executive and Parliament are conducted.

During its Special Sitting on Thursday June 5, 2014, the Committee considered the proposal to amend the Standing Orders to provide for admittance of Cabinet Secretaries to the plenary of the Assembly to present regular reports to the House as contemplated under Article 153 of the Constitution. The proposed Standing Orders propose to admit the Cabinet Secretary responsible for finance to make a public pronouncement of the budget policy highlights and revenue-raising measures for the national government as contemplated under the Public Finance Management Act. It is also intended to allow Cabinet Secretaries to enjoy the privileges and immunities provided for by the law relating to parliamentary

privileges, including privileges, immunities and rights of individual witnesses and protection of the information or evidence adduced by witnesses. The proposed amendments to the Standing Orders also propose a review of the hours of meeting on Wednesdays from 9.00 am to 9.30 am to end at 1.00 pm from the current 12.30 pm.

The Committee also proposes to delete Standing Order 44(2)(c) providing for the procedure for requesting for Statements from Chairpersons of Committees, the application of which, as I have stated, has been counterproductive.

The proposed Standing Orders also provides for a Cabinet Secretaries' Reporting Time for the Secretaries to report on matters under their control and to receive full reports from Cabinet Secretaries on matters under their control as envisaged under Article 153 of the Constitution. This will take place not later than 3.00 p.m. every Wednesday.

The presentation of reports during the Cabinet Secretaries Reporting Time shall be limited to presentation by not more than three Cabinet Secretaries, addressing only the matters specified in the request. The time should not exceed two hours.

The Committee also proposes a raft of other amendments meant to smoothen the work of the Assembly, its committees and Members.

It is therefore my pleasure to present and commend this report to the House for adoption.



The Hon. Justin B.N Muturi, EGH, MP
Speaker of the National Assembly & Chairperson,
Procedure and House Rules Committee

A BRIEF HISTORY OF PARLIAMENTARY OVERSIGHT

The role of Parliament in offering oversight is executed using different methods. Amongst them is the use of the Committee system, conduct of public hearings, budgetary oversight, the use of available technical institutions or officers, the practice of Question Time and requests for Statements. It has been observed that Question and Statement Times remain the most popular methods of holding the Executive accountable in legislatures around the world, including the Kenyan Parliament. Question Time alone is an old practice used in various legislative systems around the world. It began as a period set aside to seek clarification from the Executive in the proceedings of a House. The activity originated in 1721 in Great Britain, and has evolved considerably over time, gradually spreading into mainly commonwealth countries using the UK parliamentary system.

As highlighted in the report of the First Session of the National Assembly, the practice of requesting for statements in Kenya started in the Eighth Parliament. It involved Members rising on a point of order to request for Statements by way of Questions. This was limited to matters of urgent national importance, and would be responded to by Ministers in the plenary. In the Tenth Parliament, this was codified in the 2008 Standing Orders and was renamed as 'Statements.' This system largely worked due to the presence of Ministers in the House, who were also Members of Parliament. Ministers would respond to Statements in the House. Even though at the time, the specific request for statements was not included in an order paper, a member requesting for a statement would notify the Speaker. The Speaker, having formally approved the request would then allow the member making the request for formally make the request in the House. A Minister in whose competence the particular matters fall would thereupon indicate the day upon which reply statements would be given. The Order "Statements" became quite popular and there was seldom any difference with Questions, save for the fact that the latter would have notices included in the Order Paper.

However, in 2010, during the course of the Tenth Parliament, the country promulgated a new Constitution. One of the effects of this was a shift from a parliamentary to a presidential system of Government. Amongst the outcomes of the changes on the Legislature was a departure from part of the parliamentary procedures and practices, one of which was Ministers' replies to Statements in the House and the celebrated parliamentary Question Time. However, even with this departure, Members of Parliament in the National Assembly continued to find

ways of effectively implementing Article 95(2) of the Constitution, which vests the National Assembly with the role of deliberating and resolving issues of concern to the people.

This change has been fully felt during the First Session of the Eleventh Parliament, due to the absence of Ministers in the House, and the phasing out of Question Time. As clearly manifested in the First Session's Report, Members have now had to seek answers to matters affecting their respective constituencies through Statements; a new phenomenon provided for in the Standing Orders of 2013. This amendment had been effected in the rules of procedure with the anticipation that the shift to a presidential system would move the focus for presentation of issues raised by Members to the Committees rather than the plenary of the House.

However, this practice has presented numerous challenges hence the need for ongoing efforts to actualize the provisions of Article 153(3) and (4) of the Constitution in a more pragmatic manner. By the end of the First Session, requests for Statements as stipulated under Standing Order 44 totalled over 400. In the Second Session, within eight weeks of sittings, over 200 requests for statements had been made, others of which were still awaiting Speaker's approval.

Challenges arising out of the use of Standing Order 44 on "Statements" during the First Session (2013)

- (i) It was observed in 2013 that the use of Standing Order 44 by Members was evolving into a mode for re-introduction of Questions in the House, notwithstanding a ruling issued by the Speaker in June 2013 on guidelines for Statements.
- (ii) In addition, the Leader of the Majority Party and the Committee Chairpersons appeared to be holding brief for the Executive while responding to Statement requests, yet the Executive and Legislature were now de-linked.
- (iii) Further, responses from Committees are taking too long to be presented, leading to frustration by Members.

- (iv) Some Committees were spending majority of their time investigating and responding to Statement requests, instead of focusing on salient legislative matters under their mandates such as budget scrutiny and review of Bills.
- (v) It is argued that the system of requiring Committee Chairpersons to reply to questions has bestowed on the Chairpersons superfluous roles whose output may not be measurable or even remunerable, as these roles obviously belong to the Executive. The ambiguity is further compounded by the fact that the Chairpersons should offer leadership when their respective Committees offer oversight on the functioning of the Executive, as opposed to being seen to “hold brief” for the members of the Executive.
- (vi) Invariably, parliamentary Committees do not have the technical expertise/mechanisms required to carry out specialised investigations on some matters raised through Statements.

There is therefore critical need for a review of the usage of Statements as currently existing under Standing Order 44, to provide adequate opportunity for Members to raise their issues and have them responded to in a smooth, balanced manner, and to address the challenges identified in this report.

An important factor to note, while conducting this exercise, is the fact that the Senate and County Assemblies will invariably borrow whatever methodology is devised. As such, this issue will take on a national dimension, hence the need to proceed with care with due regard to future posterity.

In this regard, a workshop was held on February 27 and 28th, 2014 in Naivasha. The workshop comprising of the Clerk of the National Assembly and senior staff of the Assembly, under the guidance of the Speaker of the National Assembly, was held with a view to commencing, in earnest, the process of formulating a more suitable means by which Members can continue to articulate issues of local and national significance, as part of their representative roles and seek answers directly from members of the Executive.

I. GENERAL OBSERVATIONS

An extensive review of the subject of Statements during the various presentations brought to light a number of issues:

- Initially, the Committees were supposed to handle statement requests. However, such efforts had been hampered by inadequate infrastructure, in terms of availability and size of committee rooms, and a lack of structure in the mode of review and disposal of Statement requests.
- As at the end of the last Session, over 400 statements had already been presented but not all were dealt with. In the current Session, as at the beginning of April, 2014, there have been over 200 Statements processed and requested, with more still awaiting Speaker's approval. As such, the issue of Statements needs to be handled effectively to improve the operations of the House. Indeed, the statistics alone are a clear manifestation that the system of requests for statements under standing order 44, allowing requests to chairpersons of Committees, does not effectively allow the National Assembly to execute its constitutional role of deliberating and resolving issues of concern to the People;
- Under Article 95(1) of the Constitution, Members have to right to raise concerns on behalf of the people they represent. The Members have been seeking for more effective ways of ensuring the issues they raise are addressed.
- In the current scenario, Members are interrogating responses or requesting for more comprehensive answers from the Executive. This has not been practicable as the Cabinet Secretaries are no longer in the House to offer further clarification. Committee Chairs, or the Leader of the Majority Party are therefore hard-pressed to offer conclusive answers to issues raised.

In consideration of the way forward, it was noted that:

1. It is important to understand the current system of governance in Kenya, why it exists and how to make it work. It is urged that the Kenyan constitutional governance arrangement of a Presidential system with devolved structures, bicameral Houses with dissimilar legislative jurisdictions, is almost a unique. Subsequently, innovative ways of making the system work ought to be introduced, without necessarily "copy-pasting" practices from other jurisdictions.
2. The current practice where Committees are handling the work of interrogating requests for Statements is untenable, as it attempts to make Members of Parliament take up roles of the Executive. This is unsustainable

in the long term, especially in the event of a Minority Government, where the President's party has a minority in the House;

3. According to the Constitution and in practice with the presidential system, the main place for oversight is the Committees. There is therefore need to practically actualize Articles 95 (1), (2) & (5)(b) and 153(3) of the Constitution.
4. The House should not abdicate its role as stipulated in Articles 95 and 153(4); however, the requirement for provision of full and regular reports by Cabinet Secretaries needs to be operationalised in a innovative manner.
5. There may be need to clearly define and publicize what "work" is for a Member of Parliament, as it does not only involve asking Questions or seeking Statements.
6. There is also need to retain the separation of powers but increase the checks and balances as practiced within the Legislature.

It is important to note as we engage in implementation of the presidential system, that Parliament must become more involved in creating policy, as both Executive and Parliament now have independent policy-making powers. Parliament can use this alternative avenue for resolving matters that are raised by Members.

That notwithstanding, Statements do relate to a Member's mandate to oversight and represent. In fact, Article 153(3) of the Constitution provides for Committees to summon Cabinet Secretaries to answer questions under their mandate. It should be emphasized that Questions are not inquiries or investigations, they are only requests for answers, and hence the need to provide a mechanism on how these engagements between the Executive and Parliament are conducted.

Option for Handling of Statements or Questions:

The Committee considered a number of options on how to address this matter and settled on interpreting the provisions of Article 153(4)(b) of the Constitution to come up with a procedure for Cabinet Secretaries to provide full & regular reports regarding the work of the Executive to the House on topical matters of a national scope. This could be done weekly, monthly, quarterly, semi-annually, etc, to ensure continuous engagement with the Executive and keep the public better informed on government operations.

II. COMPARATIVE ANALYSIS

One important point to note out of the plenary discussions during the workshop is that there is no such thing as a *pure* presidential system existing anywhere in the world. Since nothing is set in stone, we are presented with an opportunity to innovate in regard to reframing this issue of Statements, and find a solution that works in our current context. This evolution will strengthen the implementation of Kenya's presidential system.

As mentioned before, Parliaments around the world use the following common tools used for legislative oversight:

- i. The Legal framework – which refers to the necessary constitutional or statutory provisions;
- ii. The Committee system, including Committee of the Whole House;
- iii. Public hearings/public engagement;
- iv. The use of available technical institutions or officers.
- v. **Questions & statements:** allow opportunities for giving feedback to the public directly; MPs are seen as the representatives of the people.

Case studies of other bicameral jurisdictions operating under a **presidential** system highlight the following:

(a) **SENEGAL**

In the Parliament of Senegal, engagement of the Executive by the Legislature takes place both in Committees and the plenary. The request by a Committee is communicated through the Clerk of the particular House, while the request for a Minister to attend plenary is done through the President of the House (Speaker). The Speaker then communicates to the relevant authorities and sets aside a time for the Minister to appear before the House. Parliamentary statements are organized in the form of a debate, using a precise timetable.

(b) **BRAZIL**

The Brazilian National Congress, through the Chamber or the Senate, as well as any of their committees, may request Statements from Ministers of State or any public officer in charge of branch departments or federal agencies subordinated to the President about their acts. Such statements can be delivered either in writing or orally.

The public officer must however ensure that they release all the information requested by any of the Houses of the Legislative Branch; they face the penalty of being dismissed or temporarily removed from civil service for non-compliance. The National Congress is empowered to request any information from any person managing public monies, assets and valuables both in the plenary and in the committees.

(c) PHILIPPINES

The Standing Orders of both Houses of the Congress of the Philippines allow for the Executive to request to appear before the House on any matter pertaining to the concerned department, with the consent of the President of the Philippines. They are required to notify the House through the Speaker who, with the concurrence of the House, may set the date and hour of the appearance. A member of the Executive may also be requested to appear before the House and be heard on any matter pertaining to the concerned department. The request must state specifically the issues to be responded to, date and the hour for appearance of the department head.

Such appearance shall be scheduled at least three days before the appearance date. The order of business shall specify the subject of the statements, the department head requested to respond to them, and the proponents thereof.

The day of appearance of department heads of the Executive is scheduled on any Wednesday or on such other day(s) as may be determined by the Speaker or a majority of the Members of the House, but the department heads are allowed to respond to the statements of the Members either verbally or in writing. The Member of the Executive addresses the House from the dispatch box in the Assembly and attends as a guest of the House.

In regard to written statements, these are submitted to the Speaker in triplicate. The Speaker then gives priority to the statements of an urgent nature or those relating to current issues. Requests for statements may be withdrawn by the proponent when no response has been made but such withdrawal must be in writing, addressed to the Speaker, and submitted before the day of the scheduled appearance.

(d) RWANDA

Rwanda operates under a presidential system, with Ministers being persons who are not Members of Parliament. In their Parliament, one sitting per week is devoted to questions by Members of the Senate to the Executive, and the answers thereto. The

Prime Minister, Ministers of State or any other Member of the Cabinet may attend the sitting if they are informed at least seven days before the scheduled plenary sitting. This period may be reduced by the decision of the plenary assembly, depending on the urgency of the item on the agenda. Rwanda further provides for the Minister in charge of Finance to make a presentation to a Committee of Ways and Means on the budget highlights every year.

(e) CHILE

Ministers of State are not members of the Congress of Chile, which comprises of the Chamber of Deputies and the Senate. However, Ministers may attend Sessions of the Chamber of Deputies or the Senate and participate in the debate but not vote. Article 48 of the Chilean Constitution provides that any Deputy may request information of a specific nature from the Government, provided that the proposal should be supported by a vote of one third of the Chamber present. Thus, the Chilean National Congress can require the attendance of Ministers of State at special sessions of either chamber convened to inform members about issues within the competence of the relevant ministry.

(f) BELGIUM

In Belgium, the Constitution does not make any provision for questions. However, Every Member of Parliament has the right to direct oral or written questions to a particular member of the Government. In fact, the principle is that the start of each Thursday afternoon session is devoted to Question Time, and lasts for one hour. These parliamentary questions are in form of oral, written, urgent or committee questions. Written questions and the Ministers' replies are published in the weekly Bulletin of Questions and Answers. Oral questions are asked in plenary assembly (or in committee in the House of Representatives) and must concern issues of general interest, and refer to current problems of the day. Urgent questions must be presented by the Member to the President of the House in writing.

The President of the House judges the admissibility of all questions. Any Member who wishes to ask such a question shall inform the President of the House thereof, through the chairman of his group, before 11:00 hrs of the day planned for this. He shall designate the minister concerned and indicate the subject of the question. The Minister shall be notified thereof without delay. With regard to the order of the questions, the President gives the floor alternately to the opposition and the majority. If the subject of a question tabled for Government question time in plenary sitting is the same purpose as that of an oral question put previously but

not yet put in Committee, the question initially intended for the Committee is sent back to Question Time in plenary sitting, where it shall have priority. Speakers formulate their questions and answers without having to refer to any document. Speaking time is limited to two minutes for the question, two minutes for the Government member's reply and one minute for any rejoinder by the questioner. Thereafter, the incident is closed. Any questions which, through lack of time, could not be asked during the day's sitting shall be carried over to the next sitting that includes oral questions in its Order of Business. If the questioner is absent when his name is called, his question shall be considered withdrawn and he may not ask any new question on the same subject. An oral question may be sent to a committee by the President of the House if he believes that it is of lesser importance.

(g)GHANA

Ghana's Parliament is comprised of some ministers who are Members of Parliament and others who are not MPs. The Ministers who are not MPs are also not ex-officio Members of Parliament. As such, the Ghanaian Parliament has made an allowance for these Ministers to appear before the House, through a provision in the Constitution of Ghana, which allows for these Ministers to enter the Chamber for the purposes of replying to questions without being identified as 'strangers.' In addition, the sitting arrangement of the Chamber allows for the Ministers to address the MPs without actually being on the floor of the House.

Ministers only appear before the House to respond to routine questions about administrative lapses and bureaucratic delays (usually unrelated to corruption). The rules governing question time in the parliament of Ghana are spelt out in Part Nine of the Standing Orders of the House. Broadly stated, the rules allow ministers up to three weeks to respond to questions. Questions have to be submitted in advance and communicated by the Clerk to the minister to whom it is addressed. The questioner has the right of rebuttal in the form of three germane supplementary questions. Questions time is presided over by the Speaker who exercises discretion power over the process.

Question Time in the Parliament of Ghana is dominated by the opposition who pose nearly 90 per cent of the questions. Once admitted by the Speaker every MP gets the opportunity to ask questions.

(h) UNITED STATES OF AMERICA (USA)

The USA does not have any Question Time. However, this is not for lack of trying. In fact, US Members have tried over the years to enable a Question or Statement Time so as to hold the Executive accountable in the House. These efforts have largely been unsuccessful due to Members of Congress not wanting to lose the sanctity of the floor to Cabinet Members. An excerpt of a 2008 House Committee on Rules report states –

“A [statement] period that included Cabinet officials would compromise the integrity of the floor of the House as a forum for debate among the people’s elected Representatives...[t]he floors of the House and the Senate...are the embodiment of a master idea...government by discussion...[which] can be legitimately carried out only by the Representatives of the people. The floor of the Congress is no place for unelected Presidential appointees to be sharing in the debate.”

The same report quotes a member of the House of Representatives as having said:

“Proponents of the Question Period might argue that the House already questions administration officials in committee, so what difference would it be if we questioned them on the floor? My answer is that the floor of the House of Representatives is a special place...[each] Member on the floor is equal to every other member. But to have an administration official come to the floor to answer questions alters the chemistry of the place...the kind of question period we are being asked to consider could transform it from a meeting place of equals to an interrogation room.”

Indeed, the exact meaning of provisions of Article 11, Section 30 of the USA Constitution, which states that the President shall from time to time give Congress information of the State of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient, has never been worked out fully, and there has been discussion at various times about whether this clause would allow something similar to a Westminster style of Question Time, with Departmental Secretaries being questioned by the House of Representatives. In 2008, Presidential candidate John McCain stated in his policy speech the intention to create a presidential equivalent of the British conditional convention of Prime Minister's Time. George F. Will of the Washington Post criticized the proposal and argued that the " Congress should remind McCain that the 16 blocks separating the Capitol from the White House nicely express the nation's Constitutional geography i.e. separation of powers". However, it was generally agreed that Question Time would be a check and balance in itself.

The analysis of comparative jurisdictions reveals that-

- (i) Existing statement period models in presidential systems vary widely in their format and procedures. There is need for a careful assessment of the various methodologies, taking into account the merits, demerits and also the effects of any model chosen to the relationship between Parliament and the Executive;
- (ii) Even in the USA's Congress, which is said to have an effective presidential system, it is argued that the system would perhaps be more effective if Question Time was introduced as part of checks and balances on the Executive. In this regard, the introduction of Question Time/Statements hour has been attempted. It is worth noting that the debate on whether to allow the system or not is normally centred on subconscious conservatism v/s the contemporaries and not the legal validity of the system. This is also likely to be the scenario when eventually this report is presented for debate.
- (iii) Based on the above practices in the various jurisdictions, some advantages and disadvantages of Statement Time (or Question Time) are noted.

Advantages

- Improves the performance of Executive Departments.
- Promotes dialogue and feedback.
- Promotes increased public knowledge on government matters.
- Strengthens the institutional position of Parliament within Government.
- Provides an avenue for faster response to issues.

Disadvantages

- Takes the focus and initiative of the House away from the regular legislative activities on its calendar.
- Influences the role of Chairs in conducting oversight of the Executive as they provide responses on behalf of the Executive in the House.
- Oral responses may not be as comprehensive as written submissions to questions or statements.

- May intensify partisanship by forcing Members who are of the Party forming the Executive to support or defend the Executive, and those in the opposing party to oppose.

(iv) In Kenya's case, the number of MPs has increased, and inevitably the number of Statement requests has gone up. The number of private motions and bills has also increased, so more time needs to be allocated for Members to engage in these as well. Committees will therefore need to prioritize their work, noting that legislative output is measured by the number of bills passed, which is a core function of all legislatures.

A point to note is that innovative application of the provisions of Standing Order 31 (Adjournment of the House) during the First Session of the current Parliament allowed the Cabinet Secretary of the National Treasury and the Auditor General to make presentations in the House. As such, creating further provisions for more frequent appearances by Cabinet Secretaries and other invited guests is not out of the ordinary.

III. LEGAL MANDATE

The basic conclusion is that Question Time remains popular among Members, and has to be re-introduced into the Assembly, but in a revised format. Though a regular question time session is rare in countries with a presidential system, written and oral questions are a widespread and commonly used parliamentary tool, and could perhaps be of greater benefit in our current system.

The new methodology has to ensure that committees are not overburdened with consideration of Statements, which is not part of their core mandate which includes budget scrutiny and consideration of legislation, among other oversight activities. In addition, engagement of the Executive will have to occur in a structured, cohesive manner giving regard to Members' concerns, and enable the House to focus on its core function as provided in Article 95 and 153 of the Constitution, which includes legislation.

The following are some of the provisions of the Constitution upon which Question Time in the House can be anchored-

(i) Article 95 (1), (2) & (5)(b) of the Constitution, which state that -

95. (1) The National Assembly represents the people of the constituencies and special interests in the National Assembly.

(2) *The National Assembly deliberates on and resolves issues of concern to the people.*

...

(5) *The National Assembly-*

(b) *exercises oversight of State organs.*

As such, there is validity in Members raising the concerns of their constituents through various forums, including through the use of Question Time. This assists them in playing their representative and oversight role.

(ii) **Article 125 of the Constitution states that –**

125. (1) Either House of Parliament, and any of its committees, has power to summon any person to appear before it for the purpose of giving evidence or providing information.

(2) For the purposes of clause (1), a House of Parliament and any of its committees has the same powers as the High Court—

(a) to enforce the attendance of witnesses and examine them on oath, affirmation or otherwise;

(b) to compel the production of documents; and

(c) to issue a commission or request to examine witnesses abroad.

Section 14 of the National Assembly Powers and Privileges Act, Cap 6, Laws of Kenya empowers the Assembly to order witnesses to appear before the House or a committee and provide information to it. Presentation to the House can therefore be done in form of a Question Time.

(i) **Article 153 (3) & (4) of the Constitution** which give the roles of Cabinet Secretaries in relation to Parliament –

153. (3) A Cabinet Secretary shall attend before a committee of the National Assembly, or the Senate, when required by the committee, and answer any question concerning a matter for which the Cabinet Secretary is responsible.

(4) Cabinet Secretaries shall—

(a) act in accordance with this Constitution; and

(b) provide Parliament with full and regular reports concerning matters under their control.

These three Articles of the Constitution provides a leeway for Members to ask Questions, not only in Committees, but in the plenary of the House as well, while Article 153(4)(b) gives Parliament an avenue for receipt of regular reports from Cabinet Secretaries on the state of their Ministries in plenary. **The drafters of the**

Constitution left it to Parliament to decide how best to operationalise these provisions. There is no provision in the Constitution barring Cabinet Secretaries from appearing in the plenary of the House. However, they cannot take part in the decision-making process of the House as they are not members. They can only provide information requested by the House under Articles 125 and 153 and in the manner specified under Article 95, which will enable the House to exercise its oversight functions.

These constitutional provisions provide the legal basis for the re-introduction of Question Time. The manner and frequency of this engagement with the Executive, while maintaining the sanctity of the House, remains a matter for discussion and administrative engagements.

IV. TRANSITIONAL ISSUES

In effecting any changes related to the return of Question Time as has been discussed, there will be a number of repercussions to consider.

- a) **Staffing**: there will be need for a dedicated section of staff to deal with preparing, drafting, coordination and tracking of Questions in the National Assembly. It is proposed that a minimum of four staff be engaged in this task, in their own section of the Legislative Department within the National Assembly. The framework of engagement between the National Assembly and the Executive will change as the various ministries and departments will also need to set aside staff to handle these queries and respond to the National Assembly in a timely manner.
- b) **Office Space** : this will be necessary for the setting aside of a separate room for handling of Members' requests for Questions; bigger and an increased number of Committee rooms to enable proper interrogation of Cabinet Secretaries as they appear to respond to queries raised; adequate space to store all documentation arising out of this process.
- c) **Sitting spaces for the Cabinet Secretaries**: an appropriate place needs to be designated for the Cabinet Secretaries to sit in the Chamber. There are various views-
 - (a) To allow Cabinet Secretaries to sit at the front row, near the Leader of the Majority Party;
 - (b) To undertake minor redesigning of the public servants' bench on the right of the Speaker, so as to make it more spacious, with a

low/modest podium fitted with audio devices, for purposes of accommodating the Cabinet Secretaries. This is the most preferable option to officers;

(c) To set up a podium in the middle of the Chamber for the Cabinet Secretaries.

- d) **Financial implications** – the additional budget for the engagement of the expanded staffing structure in Parliament, and the Executive.
- e) **Relationship between Parliament and the Executive** – there may be fears from the Executive that Question Time will take us back to the former governance system, and cause Cabinet Secretaries to be required to appear too frequently in Parliament. It is important to note that the engagement of Parliament with the Executive, in terms of Questions, will be done in a structured manner, to enable for proper time management. The transition period should assuage these fears. It is also proposed that workshops be held between the Committee on Procedure and House Rules (incorporating leaderships of the House) and the Executive to foster buy-in of the proposals;
- f) **Leader of the Majority Party:** Clarity on the role of the Leader of the Majority Party – it is noted that although the Leader of the Majority Party will not be required to respond to Questions directed to the Government on the floor, he will still remain as the main link between the House and the Executive. This is due to the fact that Cabinet Secretaries are not always in the House; he will also continue to marshal business of the Majority Party and undertake other functions like moving of Majority Bills (mostly construed to be “Government” bills) on the floor. The Leader of the Majority Party will also coordinate the programme of appearance by the Cabinet Secretaries to the House and assume responsibility on the time table;
- g) **Previous Statements:** The fate of Statements already requested but which will not have been replied by the time the new system is introduced.
- h) **Consequential amendments:** Making consequential amendments to the Standing Orders, to provide for related matters, such as, protecting the Cabinet Secretaries when attending, appreciating that they are still “strangers” without a right of reply.

- i) **Implementation:** It is noted that the methodology agreed upon in this report will be implemented on a pilot basis, and may be altered during the next review of the Standing Orders.

V. ISSUES FOR ADDRESSING

The foregoing debate highlights the fact that there is need to re-introduce Questions, and re-structure the mode of Statements. Presidential systems around the world have a variety of devices for obtaining responses from Ministers, besides the normal committee. Thus the need, while re-introducing Questions, to clarify:

- a) What a question will comprise of.
- b) The types of questions and those to be forwarded to a Committee, including the mode of responses (written or oral).
- c) The handling of cross-cutting issues or those of urgent, national importance.
- d) The timelines for receipt or presentation of responses (weekly, bi-weekly, monthly etc).
- e) Procedure for handling of questions which receive no response from the Ministries.
- f) The venue for presentation of the responses: in plenary (determine seating arrangement for 'strangers'), or in committees.
- g) The name for this new, improved process: Question Time, Cabinet Secretary's reporting Time?

VI. WAY FORWARD

Following extensive deliberations, the Committee resolved as follows:

1. **Oversight in the Plenary:** THAT a provision be made in the Standing Orders to allow Cabinet Secretaries to attend a plenary sitting of the House for the purposes of providing the House with full and regular reports concerning matters under their control as envisaged under Article 153(4)(b) of the Constitution. However, their attendance will be on regulated basis, and the matters to be canvassed be of national scope, in addition to other limitations. The appearance of Cabinet Secretaries in plenary sittings will be

either at the request of the House, to respond to issues raised that touch on national matters, or to provide a brief of operations in their individual ministries. Cabinet Secretaries to respond to questions/matters of urgent and topical nature that have been asked by Members and a notice given to the Cabinet Secretaries through the Speaker and copied to the Leader of the Majority Party; and,

2. **Oversight in Committees;** Committees be left free to exercise the provisions of 153: Members will continue to be allowed to raise issues with Cabinet Secretaries in Committees as envisaged under Article 153(3) of the Constitution. Committees be allowed to continue exercising this right, without having to amend the standing orders. Practice be given room to develop before being codified in the standing orders.
3. That the proposed amendments to the Standing Orders, under Appendix I, to actualize Article 153 (3) and (4) of the Constitution of Kenya be approved.

APPENDIX I:
**THE PROPOSED AMENDMENTS TO THE
STANDING ORDERS**

APPENDIX I:

THE PROPOSAL TO AMEND THE STANDING ORDERS

The Standing Orders are amended-

(a) by inserting new Part VA immediately after Part V as follows-

PART VA: ADMITTANCE OF CABINET SECRETARIES

Application

25A. This Part applies to the admission of Cabinet Secretaries in a suitable place in the House only for the purposes specified under Standing Order 25B.

Designation of a place and admittance of Cabinet Secretaries

25B. The Speaker may designate a suitable place in the Chamber for the purposes of –

- (i) admitting any Cabinet Secretary for purposes presentation of regular reports to the House as contemplated under Article 153 of the Constitution;
- (ii) admitting the Cabinet Secretary responsible for finance to make a public pronouncement of the budget policy highlights and revenue raising measures for the national government as contemplated under the Public Finance Management Act.

Public pronouncement of budget policy.

25C Whenever the Cabinet Secretary responsible for finance makes a public pronouncement under Standing Order 25B (b) the Speaker shall not allow any questions or clarifications to the statement by the Cabinet Secretary.

Application of privileges law

25D The provisions of the National Assembly (Powers and Privileges) Act (Cap 6.) shall apply to a Cabinet Secretary admitted to the Chamber under this Part.

(b) in Standing Order 30 (*Hours of meeting*), by-

- (i) deleting the expression “9.00 am” in paragraph (1) and substituting therefor the expression “9.30 am”;
 - (ii) deleting the expression “12.30 pm” in paragraph (2) and substituting therefor the expression “1.00 pm”
- (c) in Standing Order 39 (*Weekly programmes of the business of the National Assembly*), by inserting the words “tentative schedule of Cabinet Secretaries to present reports to the House” immediately after the word “website”;
- (d) by deleting standing order 44(2)(c);
- (e) in standing Order 241 by-

- (i) deleting the paragraph (1) and substituting therefor the following-

241(1) The Cabinet Secretary responsible for Finance shall, in accordance with standing Order 25(a) (*Designation of a place and admittance of Cabinet Secretaries*) and in accordance with the Public Finance Management Act, make a public pronouncement of the budget policy highlights and revenue raising measures for the national government; and,

- (ii) deleting paragraph (3)

- (f) by inserting the following new Part immediately after Part X-

PART XA: CABINET SECRETARIES’ REPORTS

Application

44A. This Part applies to the presentation of regular reports to the House by Cabinet Secretaries concerning matters under their control, as contemplated under Article 153 of the Constitution.

Cabinet Secretaries’ Reporting Time

44B. (1) Notwithstanding Standing Order 40 (*Sequence of proceedings*), not later than 3.00 p.m. every Wednesday, there shall be a time, to be designated as the Cabinet Secretaries’ Reporting Time.

- (2) During the Cabinet Secretaries’ Reporting Time-

- (a) the House shall, in accordance with Standing Order 44C (*Number of reports to be presented*), receive full reports from Cabinet Secretaries on matters under their control as envisaged under Article 153 of the Constitution;
- (b) a Cabinet Secretary shall, in presenting the report under paragraph (a), give priority to addressing matters submitted to the Cabinet Secretary under Standing Order 44E (*Submission to the Cabinet Secretary*) in the order in which they were submitted, but shall not, unless with the permission of the Speaker, report on more than twenty requests;
- (c) the Speaker may allow a Cabinet Secretary to respond to clarifications sought by Members on specific matters arising from the report, but the Speaker may limit the number of clarification sought on a particular matter;

Number of reports to be presented

44C. (1) The presentation of reports during the Cabinet Secretaries Reporting Time shall-

- (a) be limited to presentation by not more than three Cabinet Secretaries;
- (b) not exceed two hours;
- (c) if made upon a request by a member pursuant to standing order 44D (*member to make request*), address only the matters specified in the request;
- (d) if made on the initiative of the Cabinet Secretary, address such matters as the Cabinet Secretary may deem necessary, but may include such matters as may be requested by a member pursuant to standing order 44D (*member to make request*)

(2) Notwithstanding paragraph (1), the Speaker may, in exceptional circumstances-

- (a) allow more than three Cabinet Secretaries to present reports on a particular day;
- (b) extend the time for submission of reports by a maximum of one more hour.

(3) A Cabinet Secretary shall, at least two days before the day of presentation of a report, or such other period as the Speaker may allow, submit thirty copies of the report to the Clerk.

Member to make request

44D. (1) A Member may, with the approval of the Speaker, request a particular Cabinet Secretary to provide a report to the House, but the Speaker may decline to allow a request unless satisfied that the matter-

- (a) is of a national scope;
- (b) falls within the competence of not more than one Cabinet Secretary;
- (c) due to its nature or urgency, may not be properly addressed by a Committee or by way of written reply;
- (d) seeks information which is not readily available in ordinary works of reference or official publications;
- (e) does not suggest its own answer;
- (f) seeks information or presses for action, but not as a pretext for debate or argument;
- (g) does not seek an opinion on a question of law;
- (h) does not fall within the jurisdiction of county governments as contemplated under Part II of the Fourth Schedule to the Constitution;
- (i) refers to a matter which is not before a Committee;
- (j) relates to a matter which is not *sub judice*, within the meaning of Standing Order 89 (*Matters sub judice*);
- (k) relates to a matter whose reply has been or given, pursuant to paragraph (2); and
- (l) refers to a matter which has not been addressed by a Cabinet Secretary in a report to the House under this Part, in the same Session.

(2) Where the Speaker refuses to allow a request under paragraph (1), a Member may request for a written reply to the matter from the relevant Cabinet Secretary, and the Clerk shall forward the request to the relevant Cabinet Secretary.

(3) The Speaker may if-

- (a) satisfied that the response sufficiently address the matters specified in the request, direct the Clerk to cause the reply submitted to be included in the Official Report of the House Debates of the next sitting day following the day on which the reply is received or as soon as possible thereafter; or,
- (b) satisfied that the response does not sufficiently address the matters specified in the request, refer a reply submitted under paragraph (2) to the relevant Departmental Committee for further consideration by the Committee.

Submission to the Cabinet Secretary

44E. Following the approval by the Speaker under Standing Order 44D (*Member to make request*), the Clerk shall, within forty-eight hours, submit the request to the relevant Cabinet Secretary for inclusion in the report to the House.

Scheduling of reporting

44F. (1) The Leader of the Majority Party shall submit to the Speaker for approval a schedule containing the order in which Cabinet Secretaries shall present their reports to the House under this Part and upon approval, the Schedule shall form part of the items to be presented to the House under Standing Order 44(2)(a).

(2) The Speaker may, for the convenience of the House, vary the Schedule under paragraph (1).

MINUTES OF THE FIRST MEETING OF THE PROCEDURE AND HOUSE RULES
COMMITTEE HELD ON TUESDAY, 6TH MAY, 2014 IN THE CONFERENCE ROOM,
SOPA LODGE, NAIVASHA, AT 9.30AM.

PRESENT

- | | |
|----------------------------------|------------------------------------|
| 1. Hon. Justin B. Muturi, MP | - Hon. Speaker/Chairperson |
| 2. Hon. (Dr.) Joyce Laboso, MP | - Vice Chairperson |
| 3. Hon. Rachael Shebesh, M.P. | - Second Chairperson of Committees |
| 4. Hon. T.J. Kajwang, M.P. | - Third Chairperson of Committees |
| 5. Hon. Jessica Mbalu, M.P. | - Fourth Chairperson of Committees |
| 6. Hon. (Dr.) James Murgor, M.P. | |
| 7. Hon. Abdul Rahim Dawood, MP | |
| 8. Hon. David Wafula, MP | |
| 9. Hon. Robert Mbui, MP | |
| 10. Hon. Abdikadir Omar Aden, MP | |
| 11. Hon. Issack Mwaura, MP | |

APOLOGIES

- | | |
|---------------------------------|-----------------------------------|
| 1. Hon. Moses Cheboi, M.P. | - First Chairperson of Committees |
| 2. Hon. David Kiaraho, M.P. | |
| 3. Hon. Oscar Sudi, M.P. | |
| 4. Hon. Peter Njuguna, M.P. | |
| 5. Hon. Bare Shill, M.P. | |
| 6. Hon. Alice Ng'ang'a, MP | |
| 7. Hon. Alice Wahome, MP | |
| 8. Hon. Johnson Many Naicca, MP | |
| 9. Hon. Joe Musyimi Mutambu, MP | |
| 10. Hon. Ken Obura Mirenga, MP | |

IN ATTENDANCE

- | | |
|----------------------------|-----------------------------------|
| 1. Mr. Justin Bundi, CBS | - Clerk of the National Assembly |
| 2. Mr. Michael Sialai | - Senior Deputy Clerk |
| 3. Mr. J.N. Mwangi | - Director, L & P Services |
| 4. Mrs. Nancy Mukunya | - Director, Speaker's Office |
| 5. Mr. Samuel Njoroge | - Deputy Director, L & P Services |
| 6. Mr. Michael Karuru | - Deputy Director, Legal Services |
| 7. Mr. Kipkemoi Arap Kirui | - Principal Clerk Assistant I |
| 8. Mr. Rana Tiampati | - Principal Clerk Assistant II |
| 9. Ms. Wanjiru Ndindiri | - Clerk Assistant I |

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|-----------------------|---|--------------------------------------|
| 10. Mr. Dishon Nyaga | - | Personal Assistant to the Speaker |
| 11. Ms. Linda Minaywa | - | Personal Assistant to Deputy Speaker |

MIN. NO. 01/2014: PRELIMINARIES

The Chairperson called the meeting to order at 9.35am, and prayers were said by Mr. Justin Bundi.

MIN. NO. 02/2014: OPENING REMARKS

The Chairperson welcomed the Committee to the meeting, and gave a brief overview of the purpose for the workshop. It was precipitated by the need realized to better actualize Article 153 (3) & (4) of the Constitution, especially in the handling of Statements. Members were updated on the meetings that had been conducted by the technical team to prepare a report discussing the challenges experienced with Statements, comparative analyses and available options in the current context of the National Assembly.

The Clerk of the National Assembly also welcomed the Members present, and briefly highlighted what was contained in the draft report for review by the Committee.

MIN. NO. 03/2014: GENERAL DEBATE ON THE PLACEMENT OF
“STATEMENTS”

Mr. Michael Sialai made a presentation regarding the place of Statements in a presidential system, including the options available for enhancing oversight over the Executive.

The following issues were highlighted during the presentation: -

- i. Questions are usually more prevalent in parliamentary systems, where Ministers are part of the Legislature.
- ii. Although presidential systems do not have routine question times to seek information from the Executive, they have other alternatives to receive answers to queries, outside of committee sittings.
- iii. A comparative study of countries with presidential systems showed that Questions are possible but within certain parameters of frequency and format of question time.

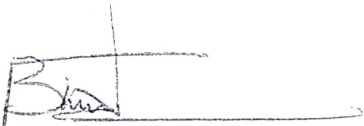
- iv. The purpose of questions was outlined, especially as a tool of oversight over the Executive.
- v. A case was made for the re-introduction of Question Time in the National Assembly, with Cabinet Secretaries providing responses in the plenary.

The Committee deliberated at length on the issue of Statements, and how best to handle them, including reverting back to Question Time. It was resolved that the matter would be concluded once the proposed text for the required amendments to the Standing Orders was reviewed in full.

MIN. NO. 04/2014: ADJOURNMENT

There being no other business the meeting was adjourned at 1.30pm until later in the afternoon.

Sign.....



(Chairperson)

Date

5TH JUNE, 2014

MINUTES OF THE SECOND MEETING OF THE PROCEDURE AND HOUSE RULES COMMITTEE HELD ON TUESDAY, 6TH MAY, 2014 IN THE CONFERENCE ROOM, SOPA LODGE, NAIVASHA, AT 3.00PM.

PRESENT

- | | |
|----------------------------------|------------------------------------|
| 1. Hon. Justin B. Muturi, MP | - Hon. Speaker/Chairperson |
| 2. Hon. (Dr.) Joyce Laboso, MP | - Vice Chairperson |
| 3. Hon. Rachael Shebesh, M.P. | - Second Chairperson of Committees |
| 4. Hon. T.J. Kajwang, M.P. | - Third Chairperson of Committees |
| 5. Hon. Jessica Mbalu, M.P. | - Fourth Chairperson of Committees |
| 6. Hon. (Dr.) James Murgor, M.P. | |
| 7. Hon. Abdul Rahim Dawood, MP | |
| 8. Hon. David Wafula, MP | |
| 9. Hon. Robert Mbui, MP | |
| 10. Hon. Abdikadir Omar Aden, MP | |
| 11. Hon. Issack Mwaura, MP | |

APOLOGIES

- | | |
|----------------------------------|-----------------------------------|
| 12. Hon. Moses Cheboi, M.P. | - First Chairperson of Committees |
| 13. Hon. David Kiaraho, M.P. | |
| 14. Hon. Oscar Sudi, M.P. | |
| 15. Hon. Peter Njuguna, M.P. | |
| 16. Hon. Bare Shill, M.P. | |
| 17. Hon. Alice Ng'ang'a, MP | |
| 18. Hon. Alice Wahome, MP | |
| 19. Hon. Johnson Many Naicca, MP | |
| 20. Hon. Joe Musyimi Mutambu, MP | |
| 21. Hon. Ken Obura Mirenga, MP | |

IN ATTENDANCE

- | | |
|--------------------------|----------------------------------|
| 1. Mr. Justin Bundi, CBS | - Clerk of the National Assembly |
| 2. Mr. Michael Sialai | - Senior Deputy Clerk |
| 3. Mr. J.N. Mwangi | - Director, L & P Services |

- | | | |
|----------------------------|---|---------------------------------|
| 4. Mrs. Nancy Mukunya | - | Director, Speaker's Office |
| 5. Mr. Samuel Njoroge | - | Deputy Director, L & P Services |
| 6. Mr. Michael Karuru | - | Deputy Director, Legal Services |
| 7. Mr. Kipkemoi Arap Kirui | - | Principal Clerk Assistant I |
| 8. Mr. Rana Tiampati | - | Principal Clerk Assistant II |
| 9. Ms. Wanjiru Ndindiri | - | Clerk Assistant I |
| 10. Mr. Dishon Nyaga | - | P/Assistant to the Speaker |
| 11. Ms. Linda Minaywa | - | P/Assistant to Deputy Speaker |

MIN. NO. 05/2014: HIGHLIGHTS OF THE DRAFT REPORT ON PROPOSED AMENDMENTS TO THE STANDING ORDERS

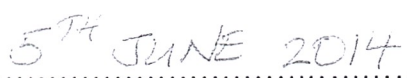
Mr. Samuel Njoroge took the Committee through the main parts of the reports, highlighting the current scenario of Statements, citing comparative analyses of other presidential systems and their use of question time, enumerating the legal provisions supporting the use of question time in our Constitution, as well as transition issues that would be related to adoption of any amendment to the Standing Orders on this issue. Mr. Michael Karuru also took the Committee through the specific proposals on the amendments to the Standing Orders.

The Committee considered the report and amended portions of it, so as to better address the concerns of Members of the National Assembly. It was resolved that the final copy of the report be adopted and tabled as soon as the House resumed from its recess.

MIN. NO. 06/2014: ADJOURNMENT

There being no other business the meeting was adjourned at 4.30pm until a date to be announced later.

Sign..... 
 (Chairperson)

Date 

MINUTES OF THE THIRD MEETING OF THE PROCEDURE AND HOUSE RULES
COMMITTEE HELD ON TUESDAY, 5TH JUNE 2014 IN THE SPEAKER'S BOARD
ROOM, AT 11.00AM.

PRESENT

- | | |
|----------------------------------|------------------------------------|
| 1. Hon. Justin B. Muturi, MP | - Hon. Speaker/Chairperson |
| 2. Hon. Moses Cheboi, M.P. | - First Chairperson of Committees |
| 3. Hon. T.J. Kajwang, M.P. | - Third Chairperson of Committees |
| 4. Hon. Jessica Mbalu, M.P. | - Fourth Chairperson of Committees |
| 5. Hon. (Dr.) James Murgor, M.P. | |
| 6. Hon. Abdul Rahim Dawood, MP | |
| 7. Hon. David Wafula, MP | |
| 8. Hon. Abdikadir Omar Aden, MP | |
| 9. Hon. Peter Njuguna, M.P. | |
| 10. Hon. Joe Musyimi Mutambu, MP | |
| 11. Hon. Issack Mwaura, MP | |

APOLOGIES

- | | |
|----------------------------------|------------------------------------|
| 12. Hon. (Dr.) Joyce Laboso, MP | - Vice Chairperson |
| 13. Hon. Rachael Shebesh, M.P. | - Second Chairperson of Committees |
| 14. Hon. Robert Mbui, MP | |
| 15. Hon. David Kiaraho, M.P. | |
| 16. Hon. Oscar Sudi, M.P. | |
| 17. Hon. Bare Shill, M.P. | |
| 18. Hon. Alice Ng'ang'a, MP | |
| 19. Hon. Alice Wahome, MP | |
| 20. Hon. Johnson Many Naicca, MP | |
| 21. Hon. Ken Obura Mirenga, MP | |

IN ATTENDANCE

- | | |
|-----------------------|---|
| 1. Mr. Michael Sialai | - Senior Deputy Clerk |
| 2. Mr. J.N. Mwangi | - Director, Legislative & Procedural Services |

- 3. Mr. Jeremiah Ndombi - Director, Legal Services
- 4. Mr. Michael Karuru - Deputy Director, Legal Services
- 5. Mr. Kipkemoi Arap Kirui- Principal Clerk Assistant I
- 6. Ms. Perpetua Muiga - Clerk Assistant III

MIN. NO. 07/2014: ADOPTION OF REPORT

The Committee adopted the Report on review of Standing Order 44 ("Statements") and actualization of provisions of Article 153 of the Constitution of Kenya.

MIN. NO. 08/2014: ADJOURNMENT

There being no other business the meeting was adjourned at 1.15 pm until a date to be announced later.

Sign.....


(Chairperson)

Date 5TH JUNE 2014