

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT THE NATIONAL ASSEMBLY – (FOURTH SESSION)

COMMUNICATIONS FROM THE CHAIR

ON THE ALLEGATIONS MADE BY HON. WESLEY KORIR, MP ON MATTERS CONCERNING THE LEGISLATIVE PROPOSAL ON ANTI-DOPING

Honourable Members,

You will recall that on Tuesday, 1st March 2016, the Member for Cherangany Constituency, Hon. Wesley Korir, stood on a Point of Order during consideration of the Motion resolving to hold sittings on Thursday mornings for purposes of considering Bills having Constitutional timelines. In his discourse, the Honourable Member informed the House on the urgency of the Anti-Doping legislation, which, as per an international accord with the World Anti-Doping Agency (WADA), ought to be passed by 5th April 2016. On this account, I did direct the Honourable Member to move with speed to have his legislative proposal prioritized.

You will likewise recall, **Honourable Members**, that on Tuesday, 8th March 2016, the Hon. Korir brought up the matter once more, this time bemoaning the lack of quorum in three sittings of the Departmental Committee on Labour and Social Welfare that were ostensibly meant to deliberate on his legislative proposal on the anti-doping law. Upon the revelation of this matter, I did direct the said Committee to meet on Thursday, 10th March 2016 to consider this crucial legislative proposal for the sake of our Kenyan athletes who continue to bring great glory and recognition to this county.

Honourable Members,

During the Sitting of Wednesday, 9th March 2016, the Vice Chairperson of the Departmental Committee on Labour and Social Welfare, Hon. Tiyah Galgalo, did table a Report on the Status of the Anti-Doping Legislative Proposal, in which she highlighted the progress the Committee had made on the matter. Hon. Galgalo cited the appearance of the Cabinet Secretary for Labour, Social Security and Services, and quorum, as the challenges encountered in the abortive meetings of 1st and 3rd March 2016, and further informed the House that the Sponsor of the said draft law, Hon. Korir, had actually failed to turn up in the scheduled meetings of 3rd and 8th March 2016. Concerning this latter statement, the Hon. Korir maintained that he had not only appeared at the said meetings, but alleged that he had seen fellow Members of the Committee appearing at the venues for the sole purpose of signing the Attendance Register, after which they immediately left. He claimed, and I quote:

“People came, signed and went away. Then, am told that I have not been appearing before the Committee. That is a lie. The Vice-Chair must substantiate and say whether I have not been appearing because people come in, sign and go!”

Honourable Members,

You will additionally recall that on account of the divergent views canvased by the Vice Chairperson of the Committee and the Sponsor of the Legislative Proposal on Anti-Doping Law, I did instruct the Director of Committee Services to provide me with a Report of the Work and Activities undertaken by the Departmental Committee on Labour and Social Welfare. I have since received the Report, which, among other things, highlights the Committee’s activities and the progress made on Hon. Korir’s legislative proposal. As to the allegations made by the Hon. Korir, the Report states that the Honourable Member did not turn up at the appointed time for the scheduled meetings of 3rd and 8th March 2016. Indeed, the Report affirms that apart from the

quorum factor, Hon. Korir's failure to turn up at the appointed time was the key reason that the two meetings were adjourned. The Report further clarifies that no Member signed any Attendance Register since the two meetings had adjourned due to lack of quorum pursuant to Standing Order 185, which states, and I quote:

“Unless quorum is achieved within thirty minutes of the appointed time, a meeting of a committee of the House shall stand adjourned to such further time or day as the chairperson of the committee may appoint.”

Honourable Members,

You may, with understandable regret, recall the unfortunate incidents last year in which Members of two Committees openly accused their colleagues of various forms of impropriety, which they sadly could not substantiate. As you are aware, some were reprimanded by this noble House in line with the Recommendations of the Committee on Privilege.

Honourable Members,

I shall not bear any assumed culture of making unsubstantiated insinuations, and more so when the allegations are made by a Member against other Members of this August House. Indeed, you will recall that before the Hon. Korir made his allegations on the floor on the afternoon of Wednesday, 9th March 2016, I did advise him against making unsubstantiated claims contrary to Standing Order 91, and the attendant consequences of Standing Order 107. He, in spite of my warning, proceeded to make his allegations nevertheless, which, now, stand unsubstantiated.

Honourable Members,

In order not to belabour the issue further, and for purposes of discouraging any similar unfounded allegations by any Member, I hereby rule as follows-

1. **THAT**, on account of making allegations that have neither been substantiated by the Member himself nor by the Departmental Committee on Labour and Social Welfare nor by aforementioned Report of the Directorate of Committee Services, Hon. Wesley Korir is in breach of Standing Order 91(1), **AND**
2. **THAT**, the Member's conduct breached Standing Order 107 on Grossly Disorderly Conduct, but shall be, and hereby is, on this occasion only, required to Withdraw his Allegations and give a Suitable Apology to this House in line with Standing Order 91(2) within three sittings of this Ruling.

In concluding, I wish once again to remind Members to desist from making unsubstantiated allegations which only serve to lower the dignity of this House and cast aspersions on its Members.

The Member and indeed the House stands guided.

I thank you!

THE HON. JUSTIN B. N. MUTURI, E.G.H., MP
SPEAKER OF THE NATIONAL ASSEMBLY

March 15, 2016