

# REPUBLIC OF KENYA



## ELEVENTH PARLIAMENT - (FIFTH SESSION)

### THE NATIONAL ASSEMBLY

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#### COMMUNICATIONS FROM THE CHAIR

No. 001 of 2017

#### ELECTION OF MEMBERS TO THE FOURTH EAST AFRICAN LEGISLATIVE ASSEMBLY

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**Honourable Members,**

This being my first Communication this year, I take the opportunity to welcome all of you back to the House for the Fifth and ultimately the final Session of the 11<sup>th</sup> Parliament. I do hope you have invigorated sufficiently to be able to consider and conclude the pending business for the remainder of the term.

Having said that, I now I wish to convey the following communication relating to election of Members to serve during the 4<sup>th</sup> term of the East African Legislative Assembly.

**Honourable Members,** pursuant to the provisions of section 3 of the East African Legislative Assembly Elections Act 2011, I have received a notification from the Clerk of the East African Legislative Assembly (EALA) regarding the expiry of the term of the current 3<sup>rd</sup> East African Legislative Assembly which will come to an end on the 4<sup>th</sup> day of June 2017. The notification requests that the Parliament of Kenya causes the election of Members to represent the Country in the Assembly.

**Honourable Members,** The East African Legislative Assembly is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community. Articles 50 and 51 of the EAC Treaty provides for Election of Members of the Assembly and the Tenure of Office of Elected Members respectively. Specifically, Article 51(1) provides that an elected member of the Assembly shall hold office for five years and be eligible for re-

election for a further term of five years. The current Assembly was elected in 2012. Additionally, section 4(1) and (2) of the East African Legislative Assembly Elections Act, 2011 provides that the election of Members to the Assembly shall be conducted in accordance with the rules of procedure of the Legislatures of the Partner States. The Act also requires that the elections ought to be conducted within ninety (90) days before the expiry of the date of the outgoing Assembly. **The effective date in this case is March 04, 2017.**

**Honourable Members,** It is my view that the current Elections Rules which were adopted by the National Assembly in April 2012 and published in the Kenya *Gazette* through *Legal Notice* No. 31 of 11<sup>th</sup> May, 2012, require a review to conform to the bicameral nature of our Parliament. In this regard, a team of officers of the Houses of Parliament has been constituted to propose amendments of the existing Rules forelection of Members of the Assembly,taking into account the bicameral nature of our Parliament and the relative political party majorities. The text of the proposed amendments will be submitted to the two Houses of Parliament for consideration, soonest. The Rules, once adopted by Parliament will thereafter inform the next course of action including the process of nomination of candidates and election procedure. In view of the foregoing, the Leadership of the Political Parties in the House are notified of the process and advised to await direction from the Houses on the rules to be applied upon adoption.

I thank you.

**THE HON. JUSTIN B.N. MUTURI, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**  
**Tuesday, January 24, 2017**