



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – THIRD SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 15, 2015

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **PRESIDING** – the Deputy Speaker
4. **COMMUNICATION FROM THE CHAIR – GUIDE ON REPRIMANDING A MEMBER FOR BREACH OF PRIVILEGE AND/ OR CODE OF CONDUCT**

The Deputy Speaker conveyed the following Communication –

“Honourable Members,

You will recall that on Tuesday, 14th April 2015, the Report by the Committee of Privileges on the alleged breach of privilege and/ or code of conduct by Membership of the Public Accounts Committee was debated by the House and adopted without amendment.

Honourable Members,

Pursuant to my earlier communication following the adoption of the report, I wish to guide the House on the procedure for reprimanding a member as resolved by the House, as follows:-

- (i) all Members mentioned are considered strangers until and when they have been reprimanded and tendered an suitable apology to the House;
- (ii) each member will be called to the Bar, with the bar drawn and will be reprimanded by the Chair, while standing at the Bar; and,
- (iii) each Member tenders his/her apology.

a. The Hon. Ababu Namwamba, M.P.

- (i) failing to substantiate within the required period serious allegations of breach of privilege and/ or code of conduct allegedly committed by some Members of the Committee contrary to Standing Order 91;

(ii)for contemptuously discussing proceedings of the Committee of Privileges in the Media contrary to both Standing Order 86 and the Speaker's ruling of 11th March 2015,

b. **The Hon. Ahmed Abbas, M.P.**

- by failing to substantiate within the required period serious allegations of breach of privilege and/or code of conduct allegedly committed by some Members of the Committee contrary to Standing Order 91.

c. **The Hon. James Bett, M.P.**

- by ailing to substantiate within the required period serious allegations of breach of privilege and/or code of conduct allegedly committed by some Members of the Committee contrary to Standing Order 91.

d. **The Hon. Omondi Anyanga, M.P.**

(i) by failing to substantiate within the required period serious allegations of breach of privilege contrary to Standing Order 91;

(ii) for contemptuously discussing proceedings of the Committee of Privileges in the Media contrary to both Standing Order 86 and the Speaker's ruling of 11th March 2015;

e. **The Hon. Samuel Arama, M.P.** will not be reprimanded but is required to tender an apology for contemptuously discussing proceedings of the Committee of Privileges in the Media contrary to both Standing Order 86 and the Speaker's ruling of 11th March 2015.

Thank you”.

5. **REPRIMANDS, APOLOGIES AND SUSPENSIONS**

Following the adoption of the Second Report and Recommendations of the Committee of Privileges on alleged Breach of Privilege and/or Code of Conduct by the Membership of Public Accounts Committee, laid on the Table of the House on Tuesday, March 31, 2015 on Tuesday, 14th April, 2015, the following were four (4) persons were reprimanded by the Deputy Speaker and ordered to apologize to the House at the Bar while one (1) person was ordered to apologize without reprimand.

a. **Mr. Ababu Namwamba**

Mr. Namwamba apologized on sharing the Committee proceedings with the Media and declined to offer his apology on the matter of withdrawing the alleged bribery allegations against Members disregarding paragraph 319 of the Report of the Committee of Privileges by the House.

Mr. Namwamba was subsequently suspended for four (4) sitting days for failure to abide by paragraph 319 of Report of the Committee of Privileges by the House.

b. Mr. James Bett

Mr. Bett apologized for breach of the Code of Conduct and abuse of privileges and was subsequently admitted to the House by the Deputy Speaker.

c. Mr. Omondi Anyanga

Mr. Omondi apologized for breach of the Code of Conduct and abuse of privileges and was subsequently admitted to the House by the Deputy Speaker.

d. Mr. Abass Sheikh Mohammed

Mr. Mohammed was not present and will be required to apologize at the Bar on his first appearance in the House.

e. Mr. Samuel Arama

Mr. Arama apologized for sharing the Committee proceedings with the Media against Standing Order 86.

5. **MOTION - PROGRESSIVE TRANSLATION OF THE CONSTITUTION AND LAWS OF KENYA INTO KISWAHILI**

Motion made and question proposed -

THAT, aware that Kiswahili is the national as well as official language of the Republic as enshrined in the Constitution; further aware that equality and freedom from discrimination and access to information are fundamental rights; cognizant of the fact that democracy and public participation of the people is a national value and principle of governance as per Article 10 of the Constitution; deeply concerned that a section of Kenyans have a low level of knowledge of their legal rights and laws passed by this House as a result of the existing language barriers; convinced that unless we, as a nation, lay down mechanisms for translating **the Constitution and** laws passed by Parliament and County Assemblies into Kiswahili, most Kenyans will continue being partially aware of the law; this House urges the National Council for Law Reporting to progressively translate the laws of Kenya into Kiswahili.

(Hon. Joyce Wanjalah Lay – 25.03.2015)

Debate interrupted on Wednesday, March 25, 2015 resumed;

Mover replied;

Question put and agreed to.

6. **THE IN-VITRO FERTILIZATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed -

THAT, the In-Vitro Fertilization Bill (National Assembly Bill No.36 of 2014) be now read a Second Time

(Hon. Millie Odhiambo)

Debate arising;

And the time being One O'clock, the Fourth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

7. **HOUSE ROSE** - at One O'clock

M E M O R A N D U M

The Speaker will take the Chair today,
Wednesday, April 15, 2015 at 2.30 p.m.

--x--