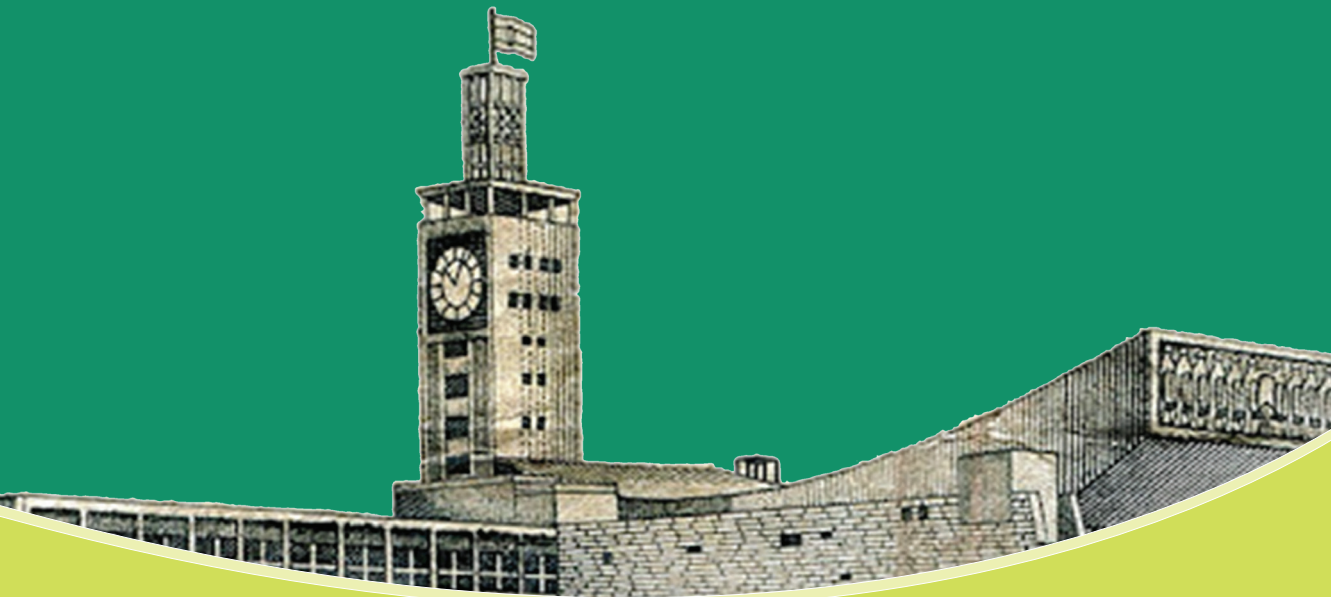




Parliament of Kenya

The National Assembly

The Speaker and Other Presiding Officers



Fact Sheet
No. 6

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The Clerk of the National Assembly
Parliament Buildings
Parliament Road
P.O. Box 41842-00100
Nairobi, Kenya

Tel: +254 20 221291, 2848000
Email: clerk@parliament.go.ke
www.parliament.go.ke

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Acknowledgements

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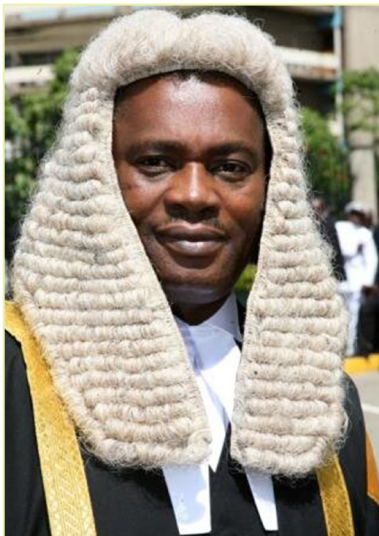
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FactSheet

06

The Speaker and Other Presiding Officers



*The Speaker of the National Assembly
Hon. Justin B.N. Muturi, EGH, MP*

The Speaker and Other Presiding Officers

The Speaker is the magnet that pulls the Institution of Parliament together. This position is so critical that the House cannot transact any business without the Speaker. The first business of every new Parliament is the election of the Speaker. The duties and responsibilities of the Speaker are spelt out in the Constitution, the Standing Orders and the Parliamentary Service Act.

The Speaker is an ex-officio Member of Parliament elected by other Members of Parliament pursuant to Article 106 of the Constitution. The Speaker presides over debates in the House and, though quite rarely, in the Committee of the whole House. He or she is the spokesperson of the House. As a representative of the House, he communicates with other arms of government, independent offices and constitutional commissions, and ministries, departments and agencies. In many jurisdictions, the holder of the office must have authority and ought to remain politically impartial at all times.

As a presiding officer, the Speaker ensures the orderly flow of business and that the House observes parliamentary rules, procedures



Speaker Justin Muturi meets the Speaker of Tanzania

and traditions, both written and unwritten. The Speaker must interpret the rules and procedures impartially to maintain order and to defend the rights and privileges of MPs. The Speaker chooses who will be invited to speak in debates so that business is conducted in an orderly way. To do this fairly, the Speaker must balance the interests and demands of MPs from all political parties and gender, before deciding who will be invited to speak next. In debate, all speeches are addressed to the Speaker. The Speaker also decides on matters of procedure. For example, the Speaker decides when or whether to allow an urgent question, or a complaint about breach of privilege. The Speaker is always heard in silence.

The following are some of the duties of the Speaker:

1. Directing all activities of the National Assembly and its Committees and presiding over the proceedings of the House under the Rules of the National Assembly. In case of a joint sitting of the two Houses of Parliament, the Speaker of the National Assembly presides and is assisted by the Speaker of the Senate.
2. Interpreting all matters touching on the application of the procedure and practice of Parliament at all times and is the final authority as provided in the Standing Orders. In cases where matters are not expressly provided for, he Speaker decides based on the Constitution, Statute laws, precedents, customs, procedures and traditions of Parliament of Kenya and other jurisdictions.
3. Examining and rules on the admissibility or inadmissibility of Motions,

- legislative proposals, Bills, petitions and Committee reports
4. Chairing key House Committees that include the House Business Committee, Procedure and House Rules Committee, and Committee of Privileges.
 5. Official spokesperson/representative of the House in its dealings with the Public, Executive, Judiciary, Parliaments in other jurisdictions and bodies outside Parliament.
 6. The Speaker's role in parliamentary diplomacy and enhancing parliamentary relations includes hosting visiting delegations of parliamentarians/dignitaries, accepting invitations from other parliaments, and participating in international meetings of Speakers or Parliamentarians among others. The Speaker holds membership in a number of Parliamentary Associations and Inter-parliamentary groups. These include the Inter-Parliamentary Union (IPU) and the Commonwealth Parliamentary Association (CPA) among others.
 7. Administering the oath of affirmation or allegiance to Members and issues writs for vacant seats.
 8. Chairing the Parliamentary Service Commission.



Hon. Kenneth Marende, EGH, MP, Speaker of the 10th Parliament

Deputy Speaker

The office of the Deputy Speaker is established in the Constitution and provided for in the Standing Orders. The Deputy Speaker is elected by Members from amongst themselves and performs the duties of the Deputy Speaker. In the event that the Speaker's office falls vacant, the Deputy Speaker presides over the election of the Speaker unless the Deputy Speaker is one of the candidates. The Deputy Speaker is the Chairperson of the Committee of the whole House and also chairs the Liaison Committee.

Member of the Chairperson's Panel

- Four members are nominated by the Speaker in consultation with Parliamentary parties, with the concurrence of the Assembly at the commencement of a new House. They are ranked as the First, Second, Third and Fourth Chairpersons of Committees and are entitled to exercise all powers exercisable by the Deputy Speaker. At least one of the Members of the Panel is from either gender.
- The Members known as the First, Second, Third and Fourth Chairperson of Committees exercise all the powers vested in the Chairperson of Committees. The First, Second, Third and Fourth Chairpersons are in Order of Precedence. Seniority is according to experience gained by the Members which is highly reliant on their longevity of service in the legislature.
- Members of the panel assist the Speaker and the Deputy Speaker in presiding

in the plenary.

- The panel is appointed for the tenure of a term of Parliament and may be replaced at the behest of the Speaker in consultation with the leader of the nominating party.
- The Deputy Speaker is the Chairperson of the Members of the Chairperson's Panel
- The Panel meets weekly to consider arising procedural issues and the challenges of presiding in the House
- Authority and Powers of the Presiding officers
- Moderating of the plenary sessions of the House by ensuring acceptable decorum of and respect for the presiding officer throughout the plenary sessions.
- The presiding officer may call out Members on disorderly conduct and punish them as per the provisions of the Standing Orders. The presiding officer may order that a person withdraws from the House or the Committee, if in his or her opinion there are justifiable reasons for the exclusion.
- Adjournment of the House.
- Ensure the requisite Quorum during Voting/ Division.

Other roles:

Issuing of Considered Rulings:

A Speaker's ruling is a judgement made by the Speaker about the way the rules of the House should be applied or interpreted. A ruling may be required, for instance, when a new set of circumstances arises for which there are no clear precedents to follow. Speaker's rulings are seen as authoritative and are recorded in treatises and journals of the House. Rulings are often issued by the substantive Speaker. This role is hardly delegated. General roles include:

- Notifying Members of the place, date and time of the opening of Parliament immediately after taking and subscribing to the Oath or Affirmation of Office.
- Reviewing and approving of Notices of Motions, Petitions, Statements, Reports, Papers among other business prior to presentation in the House by Members of Parliament.
- Approval of Reports produced by Committees of the House before tabling.
- Appointing Members of a mediation committee from the National Assembly to attempt to develop a version of a Bill that both Houses will pass.
- Declaring a Parliamentary seat vacant.
- Appointing a day for a special sitting of the House upon request by the Leader of the Majority Party or the Leader of the Minority and publish a gazette notice.
- Notifying the House Business Committee, in writing, that a Member is to be discharged from the Chairperson's Panel.
- Giving permission for Members to be absent from the House.

The Speaker's Procession:

The Speaker's procession takes place at the beginning and the end of every sitting. It is composed of the Speaker, Clerks Assistant, and Serjeant-at-Arms carrying the Mace.

Prior to the commencement of the Speaker's procession, the bell rings for five minutes before the designated time of Sitting so that the Serjeant-at-Arms clears

the Speaker's Way. Similarly, the Speaker's way is cleared as the Speaker leaves the Chamber.

The Speaker's attire

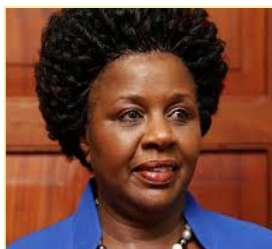
When presiding over the House, the Speaker wears a specially-designed attire. Traditionally, the Speaker would wear the wig. In the recent past, the Speaker has been wearing the wig only in ceremonial occasions such as during the annual Presidential address to Parliament. The other presiding officers are allowed to dress formally, albeit without robes.

Appendix 1: Holders of the Office of the Speaker of the National Assembly (1948-2017)

No	Speaker	From	To	Name of House	Parliament
1	Justice William Kenneth Horne	June 3, 1948	Oct 4, 1955	LegCo	8th and 9th LegCo
2	Sir William Cavendish-Benticks	Oct 4, 1955	Mar 1, 1960	LegCo	10th & 11th LegCo
3	Sir Humphrey Slade	Oct 25, 1960 June 7, 1963 Jan 5, 1967	June 7, 1963 Jan 5, 1967 Feb 6, 1970	LegCo House of Reps National Assembly	11th & 12th LegCo 1st Parliament 1st Parliament
4	Frederick Mbiti Gideon Mati	Feb 6, 1970	Apr 12, 1988	National Assembly	2nd, 3rd, 4th, 5th Parliaments
5	Moses Kiprono arap Keino	Apr 12, 1988	May 12, 1991	National Assembly	6th Parliament
6	Prof. J. Kimetet arap Ng'eno	June 11, 1991	Jan 26, 1993	National Assembly	6th & 7th Parliaments
7	Kausai Francis Xavier ole Kaparo	Jan 26, 1993	Jan 15, 2008	National Assembly	7th, 8th & 9th Parliaments
8	Kenneth Marende	Jan 15, 2008	Mar 28, 2013	National Assembly	10th Parliament
9	Justin B.N. Muturi	Mar 28, 2013	-	National Assembly	11th Parliament

Holders of the Office of the Deputy Speaker of the National Assembly (1961-2017)

No	Speaker	From	To	Name of House	Parliament
1	Jeremiah Nyaga	1961	1963	Leg Co	12 th Leg Co
2	Fitz De Sousa	1963	1969	National Assembly	1st Parliament
3	Dr. Munyua Waiyaki	1970	1974	National Assembly	2 nd Parliament
4	Jean Marie Seroney	1975	1976	National Assembly	3 rd Parliament
5	James Kabingu Muregi	1976	1979	National Assembly	3 rd Parliament
6	Moses Keino	1979	1983	National Assembly	4 th Parliament
7	Samuel Ng'eny	1984	1988	National Assembly	5 th Parliament
8	Kalonzo Musyoka	1988	1992	National Assembly	6 th Parliament
9	Dr. Bonaya Godana	1993	1997	National Assembly	7 th Parliament
10	Joab Omino	1998	2002	National Assembly	8 th Parliament
11	David Musila	2003	2007	National Assembly	9 th Parliament
12	Farah Maalim	2008	2012	National Assembly	10 th Parliament
13	Dr. Joyce Laboso	2013	2017	National Assembly	11 th Parliament



Hon. Dr. Joyce Laboso



Hon. Farah Maalim



Hon. David Musila



Hon. Joab Omino



Hon. Dr. Bonaya Godana



Hon. Kalonzo Musyoka



Hon. Samuel K. N'geny



Hon. Moses Keino



Hon. Jean Marie Seroney



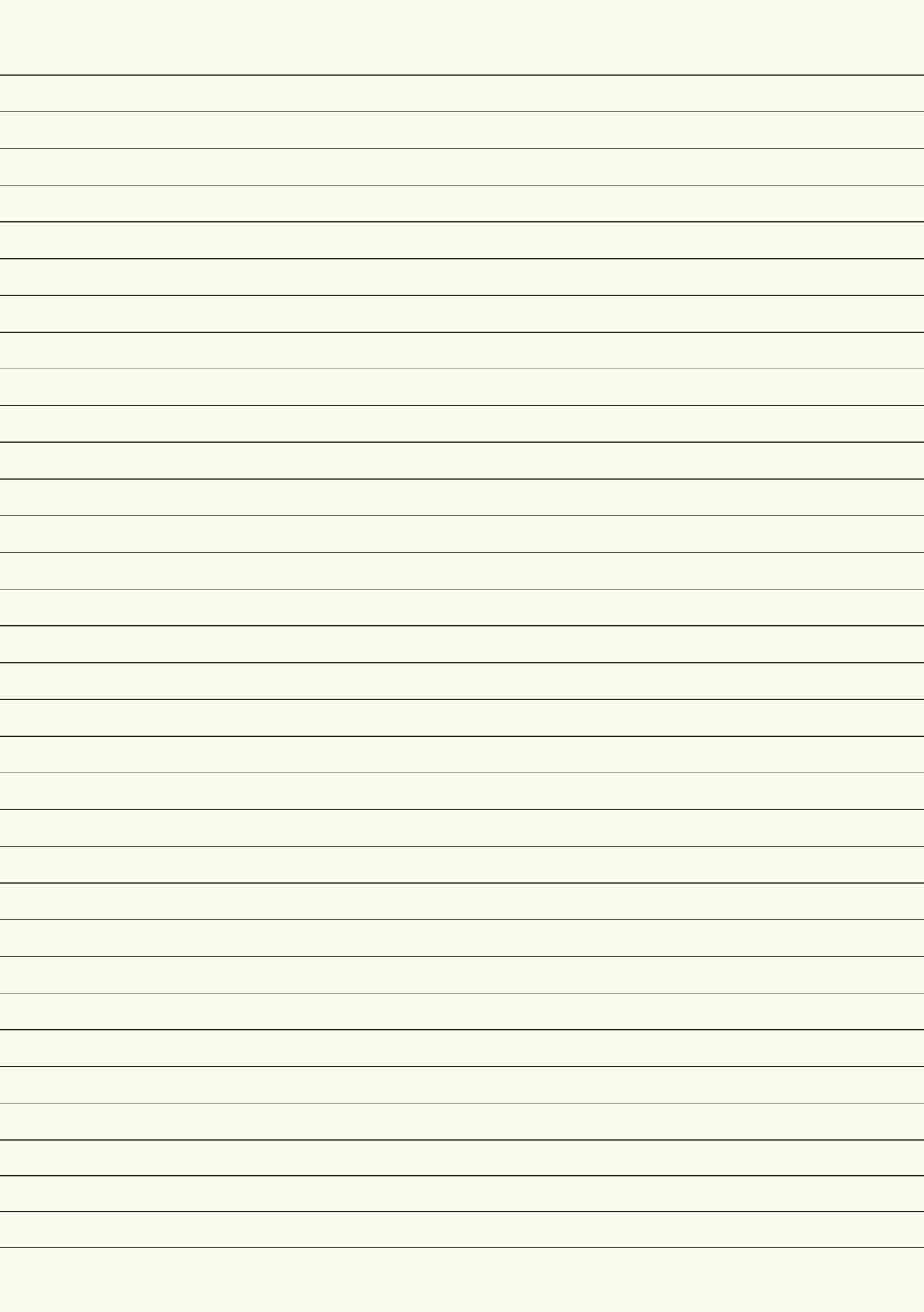
Hon. Dr. Munyua Waiyaki

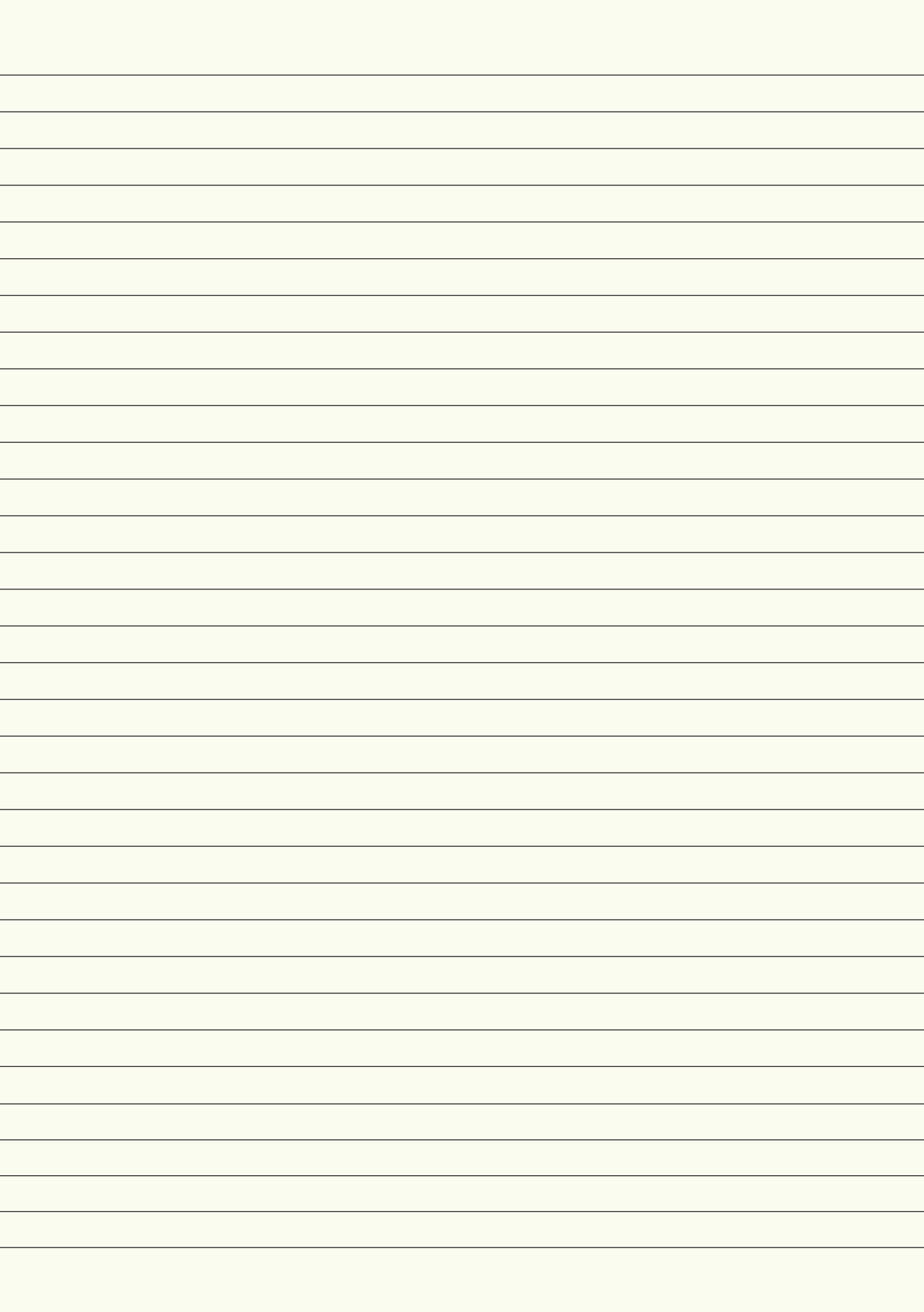


Hon. Fitz De Sousa



Hon. Jeremiah Nyaga









Contacts Us: National Assembly, Parliament Buildings
Parliament Road, P.O. Box 41842-00100
Nairobi, Kenya

Website: www.parliament.go.ke



clerk@parliament.go.ke



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